UNITED NATIONS: THE OFFICE OF THE SECRETARY GENERAL AND THE PROSPECTS FOR REFORM

Y 4. IN 8/16: N 21/2

United Nations: The Office of the S...

HEARING

BEFORE THE

SUBCOMMITTEE ON
INTERNATIONAL OPERATIONS AND HUMAN RIGHTS

OF THE

COMMITTEE ON
INTERNATIONAL RELATIONS
HOUSE OF REPRESENTATIVES

ONE HUNDRED FOURTH CONGRESS

SECOND SESSION

September 24, 1996

Printed for the use of the Committee on International Relations

MAR 05 1997

U.S. GOVERNMENT PRINTING OFFICE

44-952 CC WASHINGTON : 1997

For sale by the U.S. Government Printing Office
Superintendent of Documents, Congressional Sales Office, Washington, DC 20402
ISBN 0-16-055828-X

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UNITED NATIONS: THE OFFICE OF THE SECRETARY GENERAL AND THE PROSPECTS FOR REFORM

TUESDAY, SEPTEMBER 24, 1996

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON INTERNATIONAL OPERATIONS AND HUMAN RIGHTS,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Subcommittee met, pursuant to notice, at 1 p.m., in room 2172, Rayburn House Office Building, Hon. Christopher Smith (chairman of the Subcommittee) presiding.

Mr. SMITH. The Subcommittee will come to order.

Good afternoon.

Our hearing today focuses on the Office of the Secretary General of the United Nations, and on the effect that the selection of a new Secretary General will have on the prospects for reform of that organization—that is, on restoring its institutional integrity, its vitality, and its credibility.

While the United States is only one of 185 member States, our assessed contribution is a full quarter of the U.N.'s regular operating budget. In fiscal year 1996, our assessed contributions to the United Nations and its affiliated agencies totaled over $700 million. That amount does not include the nearly $360 million that we paid to support U.N. peacekeeping efforts.

In fulfilling my duties as chairman, I am concerned with assuring that the United Nations and its affiliated agencies are able to carry out their essential functions, such as promoting peace, coordinating international efforts to feed the hungry, and protecting refugees.

The great opportunities presented by multilateral engagement, however, also bring great temptations. On more than a few occasions the prestige and resources of international institutions have been hijacked by the elites, primarily Western elites, to pursue ideological agendas that have been considered and rejected by the democratic institutions of their own countries.

The long and expensive series of world conferences recently held by the United Nations in Rio, Cairo, Copenhagen, Beijing, Istanbul and elsewhere, provide stark examples of this problem. During the course of those conferences and their many preparatory meetings beforehand, millions of dollars were spent to fly thousands of people in from around the world. The conferences resulted in hundreds of commitments by member States.

In the end, however, not too much of substance was accomplished, and that is the good news. In the aftermath of each of these conferences, conservatives and moderates in the United States and around the world found themselves taking comfort in the assessment that not too much damage had been done. That this was the best that we could have hoped for illustrates some systemic problems in the United Nations.

The conference procedures were essentially undemocratic and lacked the basic checks and balances that help to moderate the drafting of treaties and other international agreements. For example, the drafting committee at Cairo was chaired by Fred Sai, the president of the International Planned Parenthood Federation based in London, the largest nongovernmental population control organization in the world.

The language produced by that committee was so plagued with bureaucratic slogans and ideological code words that a reader of ordinary English would have been hard-pressed to understand exactly what it meant. But, of course, the ideologues stepped in after the fact to help fill in the previously obscure content of the supposed Cairo consensus.

One important part of that asserted consensus is that IPPF and similar organizations should receive hundreds of millions of dollars in additional funding.

Thus, at present, the United Nations has a twofold credibility crisis.

First, the U.N.'s credibility is waning within the United States, which pays the lion's share of its bills. Because of its lack of direct, democratic accountability, the United Nations spends millions of our dollars on things that the U.S. Government would never be able to get away with.

The problem is not merely one of waste, of a bureaucracy whose salaries and perquisites are reminiscent of an imperial court, but also of fraud and abuse. For example, the U.S. Government would not openly undertake a project that, among its policy deliberations, suggests adding contraceptives to the water supply, or adopting Chinese incentives to family planning, or changing Catholic social teaching by provoking schism within the Catholic Church.

Yet, that is exactly what has been done by the Millennium Project of the U.N. University, which receives tens of thousands of U.S. taxpayer dollars. We cannot allow the United Nations to act as an ideological money launderer, funneling our tax dollars to projects that we find repugnant and that we would never choose to support directly.

Second, the U.N.'s credibility is waning in the developing countries of the world. At a time when many countries in Latin America, Africa, and the Islamic world are striving to protect their traditional cultures, U.N. conferences and affiliated institutions support a kind of cultural imperialism in the form of aggressive population control measures or political pressure to legalize abortion and other controversial proposals found neither in international law nor in a genuine international consensus.

Against this background, the selection of the next Secretary General is even more important than such decisions have been in the past. The United Nations is at a crossroads.

It must reform its internal procedures, it must expand its base of support beyond the professional governing class that has been its primary constituency, and it must convince the peoples of the world not only that it can be a real force for good within its legitimate sphere, but that it also will do no harm. On substantive as well as procedural issues, the new Secretary General must be a consensus-builder, not a consensus-breaker.

Interestingly, on the same day that it was announced that the U.S. Government would not support Boutros Boutros-Ghali for re-election, it was also reported that other candidates had emerged, apparently with tacit support from our own State Department.

Almost every one of these candidates have been in the forefront of the ideological disputes that I have described. Two in particular, President Mary Robinson of Ireland and Prime Minister Gro Harlem Brundtland of Norway have been prominently associated with efforts to legalize abortion in countries that still protect their unborn children.

There are too many pressing needs in the world today to allow the United Nations to squander its prestige and its resources on a divisive social agenda that remains controversial even in our own country. If we are going to restore confidence in the United Nations, we must select as Secretary General someone who is committed not only to procedural reform, but also to consensus-building—someone who is trusted not only by the U.N. bureaucracy and by professional diplomats, but also by the conservative and moderate majorities in most nations of the world.

If we really want to reform the United Nations and build an institution in which the whole world will have confidence, it is imperative that we avoid people whose talents lie in always being on the cutting edge of international social engineering. The job of the new Secretary General will be difficult enough if all of his or her energies are focused on institutional reform and on vigorous leadership of the core functions of the organization.

To take on the additional task of reminding sovereign States that they have more people than the Club of Rome would prefer, that they are too protective of their unborn children, or that they must abandon their traditional ideas about the family and the relationship of the family to the government, would surely cause the enterprise to collapse under its own weight.

[The prepared statement of Mr. Smith appears in the appendix.]

Mr. SMITH. I would like to say finally that I welcome our very distinguished panelists to this hearing this afternoon, and I thank them for taking the time to be here. I think this is a very timely hearing, especially given the fact that the President is at the United Nations today, and I can assure you that this transcript will be widely circulated among my colleagues so that they are informed as to your views.

I would like to introduce our panelists in the order that I invite them to testify. First, Dr. Jeane Kirkpatrick is a senior fellow at the American Enterprise Institute and a professor at Georgetown University.

Prior to resuming those responsibilities, Dr. Kirkpatrick served as the U.S. Ambassador to the United Nations for more than 4 years during the Reagan Administration. She is a recipient of the

Medal of Freedom, the Nation's highest civilian honor. Dr. Kirkpatrick writes a syndicated column and maintains a very active speaking schedule.

John R. Bolton is the president of the National Policy Forum. During the Bush Administration Mr. Bolton was Assistant Secretary of State for International Organization Affairs, managing the formulation, articulation and implementation of U.S. policy and diplomacy within the U.N. system. In the Reagan Administration, he served as Assistant Attorney General of the Civil Division.

Finally, Gracie Hsu is a policy analyst at the Family Research Council where she has been responsible for researching and evaluating the U.N. conferences in Cairo, Copenhagen, and Beijing. An honors graduate of both UCLA and Johns Hopkins University, Ms. Hsu has presented her policy analyses before Congress, on national television news programs, and in op-ed pieces published throughout the country.

Dr. Kirkpatrick, if you could begin the testimony this afternoon.

STATEMENT OF JEANE KIRKPATRICK, SENIOR FELLOW, AMERICAN ENTERPRISE INSTITUTE

Ms. KIRKPATRICK. Thank you, Mr. Chairman, for inviting me here today to testify before your committee on this important issue. It is important, because the United Nations, as we know, has influence around the world. Its impact is felt around the world, and its cumulative impact on decisions of social policy, cultural policy, family policy, as well as political policy, is very great.

I am pleased that the Committee and the Chairman are following the selection of the new Secretary General and have turned your attention to this issue.

I would begin by simply reminding everyone that it is intended that the United Nations be governed by the U.N. Charter, which is our only legal link to the United Nations. That Charter was ratified by the U.S. Government, and that ratification constitutes our legal commitment to the United Nations.

Americans, accustomed to a written Constitution, would expect that normally any organization would be guided and also limited by its Constitution. What we find about the United Nations is that frequently the Charter is ignored, and never more flagrantly than by this Secretary General.

The Charter is quite specific about the functions of the Secretary General, as it is quite specific about the functions of the Security Council. Authority over policy in the U.N. system is vested in the Security Council. Authority over military operations, if there are any, and decisions concerning them, are vested in the Security Council.

The selection of and functions of a Secretary General are also spelled out in the Charter of the United Nations. The Charter of the United Nations is clear that the Secretary General should be appointed by the General Assembly upon the recommendation of the Security Council.

The Security Council makes the decision, and normal Security Council Rules of Procedure prevail. This means that the veto, possessed by the five permanent members, is operative in the selection of a Secretary General. No one will be recommended to the General

Assembly for appointment as Secretary General who does not have the approval and the support of the nine members of the Security Council, and who has not been opposed by any of the five permanent members.

I mention this only because there is a certain amount of discussion underway today about whether the rules are really binding and whether there is some way that the present Secretary General might be appointed again as Secretary General. The Charter is very clear. The Charter does not specify a term. The Security Council specifies a term. The Security Council also specifies the person who shall be appointed by the General Assembly.

The Charter is clear about the functions that the Secretary General should perform, and the functions that he is to perform are those that most Secretary Generals have in the past performed. Most Secretary Generals have presided at all of the major meetings of the United Nations, like the Security Council and the General Assembly, the Economic and Social Council, and the Annual Report to the General Assembly and other functions as entrusted to him by these organs.

The Security Council is the supreme organ. The Secretary General has just three specific functions enumerated in the Charter. He serves as the the Chief Administrative Officer of the United Nations. In addition to his administrative duties, Article 99 asserts that he may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security.

I call your attention to Article 99, Mr. Chairman, because that article is cited by the current Secretary General when he claims extraordinary powers.

This Secretary General has claimed far greater powers than any previous Secretary General over the substantive powers of policy creation and the implementation of those policies in the U.N. organization and he typically has attempted to validate these claims with reference to Article 99.

Article 99 does not provide such basis for these operational powers; it just asserts that the Secretary General may bring to the attention of the Security Council any matter which, in his opinion, may threaten the maintenance of international peace and security. That language doesn't give him broad powers over international peace and security. The Security Council is specifically given broad power over all decisions relating to peace and security.

The Secretary General has the power to inform the General Assembly about problems relating to peace and security. It is the Security Council that has the important functions. It is the Security Council that has the primary responsibility for the maintenance of international peace and security; it determines when there is a threat.

The Security Council takes very seriously the determination of threats to international peace and security, because when the Security Council decides that there is a threat to international peace and security, that decision triggers the permission to use force to deal with the threat.

The Security Council functions continuously, and that is literally true. I have had the experience of being called at 2 a.m., at 4 a.m. and at 5 a.m. for Security Council meetings.

It is assumed that the Security Council members, like the Cabinet of the United States, are always on call, and it is in principle continually meeting. It determines when there is a threat. It makes its own rules. It is a self-governing body, like the Congress.

It investigates disputes, and it can, if it chooses, raise armed forces, and if it should decide that there is a threat to international peace and security and it calls for the use of all necessary force to deal with that threat, then the Security Council is charged by the Charter of the United Nations with overseeing the use of force. It is expected to meet continually, it is expected to oversee personally through its own members, or through the military staff committee, any use of military force by the United Nations.

Now, I emphasize these limits on the role of the Secretary General only because the Charter is so clear and because its requirements are very clear, and the specific roles assigned to each organ in the whole organization are so clear that it is very difficult to understand how the current Secretary General arrived at his decision to claim these very broad powers that are, in fact, clearly vested in the Security Council, not only over war, but also over peace, and all functions pertaining to both.

There is not now and never has been a Secretary General who has the requirements or competence necessary to perform all of the functions that the current Secretary General claims. The founders were wise enough to understand that you needed military officers to perform military functions and that you needed administrators to perform administrative functions.

Mr. Chairman, the United Nations is a very complex, sprawling, complicated, diverse organization, which in principle deals with all of the subjects in the world that affect all the nations in the world. And it is very important that this sprawling, diverse organization have competent administration.

It does not have competent administration. It is a badly managed organization with a very great deal of duplication and careless management. It suffers from waste, fraud and mismanagement on a grand scale.

If we could find a Secretary General, and if the Security Council and the General Assembly would have the good senses to name a Secretary General who would, in fact, bring order and competent administration into this very complicated organization, then the United Nations might develop the qualities of action that would be required for it to achieve its positive goals.

I think that the next Secretary General should be someone with experience in the U.N. system or in one of the independent agencies of the United Nations or from some major government that has played a major role in the United Nations. I believe the next Secretary General should be someone who has demonstrated competence and experience of administration in the U.N. system, or in a major government dealing with the U.N. system.

I believe the next Secretary General should have demonstrated skills and interest in management, or, if not experience in the management of the United Nations itself, then some actual experience

in the management of comparable international systems, because they are complicated and unique bodies.

There should be a very clear understanding with the next Secretary General about what the job is and is not. It should be clear before he is appointed that he will not be assigned command or control of any military operations—period. I do not believe that the United Nations itself should undertake military operations under Chapter VII.

I feel certain that the United States should not assign and deploy its forces under U.N. command and control, and quite frankly, I have become progressively convinced watching the last term's experiences, that no one should deploy their nation's young men and women under U.N. command and control for Chapter VII operations.

But we should be explicit with the candidate for the next Secretary General's job that he will not oversee military operations, that he will not have a Rapid Reaction Force at his command, he will not have a special military body which he can deploy anyplace in the world as he sees problems developing, that he will not have an elaborate intelligence operation at his control, that he will be the chief administrator of a very important and difficult organization, and that he will understand and respect the powers of the Security Council.

And I think if we could have that kind of clarity in the beginning and also some clarity that the next Secretary General must be a person with demonstrated competence in the performance of this job, then there might be some hope for the United Nations in the next decade.

Thank you, Mr. Chairman.

[The prepared statement of Ms. Kirkpatrick appears in the appendix.]

Mr. SMITH. Dr. Kirkpatrick, thank you very much for your statement.

Mr. Hyde, do you have any opening statement?

Mr. HYDE. None, except to apologize for being late. I can't blame United Airlines, I could have gotten an earlier flight, but I was unaware of this important meeting.

It is always great to hear from Dr. Kirkpatrick. I have a few questions, but will wait until that time.

Mr. SMITH. Thank you very much, Mr. Hyde.

Mr. Bolton.

STATEMENT OF JOHN R. BOLTON, PRESIDENT, NATIONAL POLICY FORUM

Mr. BOLTON. Thank you very much, Mr. Chairman. It is a pleasure to be here today.

I think, as you said, this is a very timely hearing, because the United Nations is an organization in crisis, both internally and externally, and the decision on the next Secretary General is not just another occasional personnel decision. This could really be a matter of life or death for the organization.

Yet, we find ourselves in the United States at this critical time with our country being in the most ineffective and most embarrassing position with respect to attempting to influence the decision on

a Secretary General that has ever been the case in the entire history of the United Nations.

I laid out in my prepared testimony some of our experiences in the Bush Administration to put this present decisionmaking process in context. I would like to think: that we had focused in the Bush Administration on the importance of U.N. management, through our concept of the "unitary United Nations", searching for a Secretary General who could make the kinds of reforms we thought were necessary; that we had engaged in the kind of preparatory diplomatic consultations, especially with the other permanent members of the Security Council; and that we had received from the Secretary General himself his word that he would only serve one term; and that indeed, the reason he was committing to serve one term was to free himself from the political considerations that a candidate seeking reelection might have to worry about, that would inhibit his ability to make sweeping management reforms.

Yet, where do we find ourselves today? We find ourselves with an incumbent seeking a second term who doesn't deserve one.

I think it is very important as we approach the question of how to select a Secretary General that we reject as emphatically as we can some of the more academic theories that have been espoused recently about independent search committees and wise men and women who look for the most objective criteria, that we don't have member governments and their crass political assumptions involved in the process, this sort of search for a platonic guardian who will be our Secretary General.

The real point here is that process is not a substitute for the will of the leading countries in the United Nations, particularly the five permanent members, and particularly the United States. What we need is a demonstration of that will to find a chief administrative officer, as Jeane Kirkpatrick has said, and I want to come back to that in a minute. The process can be as different as the mind is creative, but process is not important. It is a question of leadership by the United States, which we haven't had.

I think these academic theories which have been expressed in a number of things, like the Report on the Commission on Global Governments, are important to note here for another reason, and that is that they are one of several recommendations out there that chip away at the authority of the U.N. member governments.

Here, there is a suggestion to chip away at the authority of member governments through these screening panels, and whatnot, to try and find ways outside of normal diplomatic consultation to decide on a Secretary General. There are other proposals to chip away the authority of member governments, to chip away their authority to finance the United Nations through systems of international taxation, to chip away at the authority of governments in voting on international treaties by enhancing the role of nongovernmental organizations.

None of these in and of themselves, I think, is particularly important, and many of them will never, I hope, find much support in this country. But I think when you look at these proposals for how to select Secretaries General, these proposals for how to finance the United Nations, these proposals for enhanced role of nongovernmental organizations, what they are all designed to do,

let's be clear, is reduce the influence of the United States, and I think that is a mistake in every case. I think we should be vigilant about it.

But the real issue I am sure that we are concerned about is: what do we do now? How do we get out of the mess that we are in, that has been caused by the public commitment by the Administration to veto the incumbent Secretary General with virtually no consultation, even with our closest friends and allies? I think we need to make a couple of points unmistakably clear.

The first is, in part, to overcome the very widespread feeling among other member governments that the Administration's veto threat is hollow. Many believe that if President Clinton wins reelection on November the 5th the deal will be cut, and Boutros-Ghali's term may be extended, perhaps not for the full term of 5 years, then for some part of it.

Another aspect of this question is the notion that the Security Council can be excluded from the extension of Boutros-Ghali's term, and I have laid out in my prepared testimony, and I won't repeat it here, why I think the Trygve Lie precedent, which is frequently cited by those who want to extend the incumbent's term, was wrongly decided in the 1950's, and in any event, is utterly inapplicable today.

In any case, after December the 31st, 1996, there will be no Secretary General of the United Nations. There is no carryover authority, and until the Security Council acts, there simply will be nobody in place. Any attempt by the General Assembly to act without the involvement of the Security Council would be illegal under the Charter, and would be full grounds for the United States to withhold any further contributions to the organization.

Second, I think we must be clearer even than we have been, that we intend to follow Article 97 of the Charter to select a chief administrative officer. We want somebody with management skills and background, we want somebody with a management focus and we want somebody with management goals.

There is a Secretariat in New York to run, and somebody needs to run it. All of the other qualities that have been talked about, Mr. Friend of the Earth, Commander in Chief of the World Federalist Army, this whole range of other things that people want out there, are not specified in the Charter and are not what we want. The United States can give political direction to the United Nations. We want a chief administrative officer as Secretary General.

Third, I think it is equally important that the United States make clear that in searching for a chief administrative officer, we have one criterion, and one criterion only, and that is individual excellence. We reject geographic criteria, we reject religious criteria, we reject linguistic criteria, we reject gender criteria.

There is nothing in the Charter, and nothing political that requires us to accept the geographic rotation of the position of Secretary General. There is nothing that requires us to accept the 2-term tradition, there is nothing that requires us to accept anything except individual excellence, and I think especially at this particularly troubled time for the organization to bring in extraneous political considerations only risks worsening the situation at the United Nations.

I will say, just to add one specific point here, I have just recently returned from Cairo where I heard from the—as you might expect, the subject of the Secretary General is a subject of considerable conversations—and I heard there something I couldn't believe. I heard for the first time that although the Clinton Administration has not announced publicly that it has a candidate, there have been suggestions, as you say, Mr. Chairman, about President Robinson and Prime Minister Brundtland. What I heard there was the idea that the U.S.'s real candidate was Salim A. Salim of Tanzania, and the theory here is that the United States, as the Administration has said publicly, does support an African to succeed Boutros-Ghali. I have said I think that is a fundamentally illegitimate criteria.

If you believe in geographic representation, perhaps you join me in saying it is time for a North American to be Secretary General; we have never had one. But passing that for a moment, the notion that the United States would support Salim Salim I just find insulting, frankly, and I think we ought to be very clear. Certainly, my own view is that he would be a disaster for the organization.

I refer to Salim Salim's earlier exploits in my prepared testimony. I won't go into it at length here, but suffice it to say in 1971, he led the charge to unseat the Republic of China on Taiwan, and to substitute as the representative of China in the United Nations, the People's Republic of China, over the opposition of the United States. And as if that weren't enough, let me quote to you from the New York Times. I didn't make these words up. I am quoting from the New York Times describing Mr. Salim and I quote: "Remembered by Americans for having danced in glee when the General Assembly overruled Washington on the question of Chinese representation."

I think we should accept as one criterion for opposing the candidacy of anybody to be Secretary General, that they cannot dance in glee in the aisles of the General Assembly when the United States loses. So much for Mr. Salim.

Finally, my last point is that I don't think we need to be in a rush on this question of Secretary General. For one thing, we have an election coming up on November the 5th, and if one of the two leading candidates wins, I think his views on the subject on the incumbent Secretary General are very well known.

In any event, whoever wins the November 5th election, there is clearly a long process ahead of us. We do not need certainly to be concerned about the precedent of having an Acting Secretary General; that was the case after Dag Hammerskjold died in Africa on a mission regarding the Congo. The United Nations will survive, and I think it is far more important that we pick the right Secretary General to succeed Boutros-Ghali than to rush and pick someone who may well be, unfortunately, the last Secretary General.

Thank you very much, Mr. Chairman.

Mr. SMITH. Mr. Bolton, thank you very much for your testimony.

[The prepared statement of Mr. Bolton appears in the appendix.]

STATEMENT OF GRACIE HSU, POLICY ANALYST, FAMILY RESEARCH COUNCIL

Mr. SMITH. Ms. Hsu.

Ms. HSU. Thank you, Mr. Chairman, for inviting me on behalf of the Family Research Council to express our views regarding the selection of a new Secretary General for the United Nations.

As you know, the Family Research Council is an organization dedicated to helping shape public policy which preserves and strengthens the traditional family. Although our focus has usually centered on U.S. policy, the recent efforts undertaken by the United Nations in the realms of population control, promoting abortion overseas and redefining the family, have caused FRC to expand our vision and cover some aspects of international policy.

With regard to the United Nations, the Family Research Council has applied for and obtained NGO (Nongovernmental Organization) status for the U.N. world conferences held in Cairo, Copenhagen, Beijing and Istanbul. We also sent a representative to the Beijing conference and have written policy papers with regard to each of these conferences.

FRC and many other pro-family organizations have grave concerns that the United Nations is heading in the wrong direction, devoting more and more of its financial and material resources to fund and implement policies and practices that are detrimental to the traditional family unit.

Indeed, the Cairo Population Conference, the Copenhagen Social Development Conference, and the Beijing Women's Conference are prime examples of the way in which the United Nations has moved away from its traditional mission of championing human rights or protecting refugees, and has instead used its status and authority as a world organization to help promote a radical agenda of population control and abortion advocacy.

For example, 1 year ago during the U.N. Fourth World Conference on Women in Beijing, delegates from around the world came together to discuss ways in which women's status in society might be advanced. All of the participating countries agreed that women ought to be respected and given equal status in society.

All of these countries agreed that the educational and economic advancement of women was a noble goal. And yet, over 60 countries expressed objections to or reservations with the Beijing Platform For Action.

Why did so many countries, particularly the developing countries in the G–77, object to the conference document? Because the document was skewed toward advocating policies which were detrimental to the traditional family.

The Platform For Action gave short shrift to the value of motherhood, and the words "husband" or "wife" did not even appear once in the entire document. Furthermore, the word "family" almost always appeared in a negative context; for example, in relation to domestic violence or as a vehicle for female oppression.

The Beijing document also, in keeping with its predecessors from Cairo and Copenhagen, promoted abortion and unrestricted contraceptive availability. While the Platform failed to recognize the role of men as husbands and fathers, it did express the notion that women should be completely autonomous in their reproductive de-

cisionmaking. Indeed, the Platform urges governments to "take action to ensure that women's sexual and reproductive rights are fully recognized and respected."

Furthermore, the Platform elevated reproductive "rights" above all other rights, stating that "the ability of women to control their own fertility forms an important basis for their enjoyment of other rights."

This exaggerated emphasis on sexual and reproductive rights, particularly abortion, without regard to the context of marriage and family, was not only disturbing, but downright offensive to many countries.

For example, the Ethiopian delegation wrote in their statement of reservations, "there was a measure of imbalance on the focus of the Conference. Too much time and effort was spent on matters which are not central to the issues of women. Ensuring better access to health services, property, employment, full political and economic participation, deserve higher priority than protecting what had been subsumed under the term 'sexual rights'."

Likewise, the Holy See wrote: "We can do more for women's health needs than focusing on fertility and sexual issues, using language which implies societal endorsement of homosexuality. A document that respects women's intelligence should devote at least as much attention to literacy as to fertility."

Egypt expressed reservations that "its understanding of the text in the Platform regarding sexual relations and reproductive relations is that such relations should be within the context of marriage and the family." Sudan also wrote that it "rejects all forms of sexual relationships outside of marriage. Sexual relations other than that between a man and a woman is perverse, as is abortion."

I could go on and on, but I will just give one more example of Malaysia.

Malaysia expressed reservations about the interpretation of the Platform, specifically with regard to "the definition given to family, individuals and couples; reproductive rights, which should apply only to married couples in a union between a man and a woman; sexual rights should not be taken to mean sexual promiscuity and other practices, such as homosexual rights; abortion, which is illegal in Malaysia, should only be allowed in medical emergencies. While acknowledging information on healthy sexual practices is necessary in light of the dangers from sexually transmitted diseases and the AIDS virus, parental guidance should not be dismissed and unacceptable practices condoned."

These are just a handful of examples among the over 60 countries which submitted reservations regarding the Beijing Platform for Action. And, as the various countries' statements clearly show, the prime objection had to do with the accurate perception that the United Nations, through this and other world conferences, are forcing upon them a radical cultural agenda which undermines the traditional family unit and undercuts the traditional morality to which many of these Nation States adhere.

The United Nations was created to help uphold policies which benefit all peoples and nations, such as coordinating international efforts to feed the hungry or engaging in genuine peacekeeping efforts. On the other hand, the United Nations was not created to be

a world organization that imposes on the rest of the nations a brave new world of morality, nor was the United Nations created to be a vehicle for cultural imperialism. And yet, for more and more countries around the world, the United Nations is becoming synonymous with its strong-armed tactics to promote a radical agenda.

I have spoken all of these things to lay a foundation for which to speak on the subject at hand: the selection of a new Secretary General for the United Nations. If the United Nations is to restore its credibility among nations, particularly developing countries, the new Secretary General must be sensitive to these concerns about the traditional family and morality.

He or she must have a vision of purpose that will unify, not divide, nations—a "consensus-builder," as you, Mr. Chairman, have spoken about previously. The Secretary General must also be able to return the United Nations to its lofty position of helping maintain world peace and security, without overstepping its boundaries and infringing on the sovereignty of individual nations. And he or she must view the United Nations as a limited power with the authority to act only within a certain limited framework and to discard the temptation to venture into arenas for which it has no rightful authority to act.

It is with these tenets in mind that I turn to address two potential candidates for the position of U.N. Secretary General: Gro Harlem Brundtland, Prime Minister of Norway, and Mary Robinson, President of Ireland. From a pro-family perspective, as well as from the perspective of returning the United Nations to a place of consensus, neither of these candidates seem qualified for that top job. Both of these women are outspoken abortion-rights advocates and have aggressively lobbied for the liberalization of abortion laws worldwide.

For example, Prime Minister Brundtland declared that the legalization of abortion is but a "minimal response" to so-called unwanted pregnancies. She was quoted in the Manchester Guardian Weekly as saying "morality becomes hypocrisy if it means accepting unwanted pregnancies" and "unwanted children." And at the U.N. Population Conference in Cairo, Prime Minister Brundtland supported the worldwide expansion of abortion rights.

Similarly, Irish President Mary Robinson, according to the Chicago Tribune, campaigned on a left-wing platform and promised to change Ireland's pro-life laws. She has also been described by the International Herald Tribune as an "outspoken proponent of the liberalization of the abortion law."

Clearly, with the ever-growing rift between the U.N. imposition of a liberal social agenda and the countries it purports to represent, neither Ms. Brundtland nor Ms. Robinson would be able or willing to bridge that gap.

At a time when the U.N. credibility has been strained in many countries, including our own, it would be wise to select a Secretary General who can restore the U.N.'s credibility by putting the agency back on its primary vision of maintaining peace and upholding human rights around the world.

In conclusion, the Family Research Council urges the United Nations in its selection of a new Secretary General to respect the worldwide institution of marriage and the family and to select a

Secretary General who will be a consensus-builder among nations and not a consensus-breaker.

Thank you very much.

[The prepared statement of Ms. Hsu appears in the appendix.]

Mr. SMITH. Thank you very much, Ms. Hsu.

Let me begin the questioning and then yield to my good friend and colleague, Mr. Hyde.

As we all know, President Clinton spoke today at the U.N. General Assembly, and according to the wire story that we just took off the computer, he made a passing reference to streamlining, but apparently did not spend a lot of time on that. Significantly, he did not mention the imminent need to select a Secretary General for the United Nations.

Mr. Bolton and Dr. Kirkpatrick, from your experience in previous years, both of you are aware of the lead time that preceded previous selections. I wonder if the Administration may be hiding its preferred choice. We heard of the two, that both Ms. Hsu and I mentioned, from State Department sources, but I am sure there are others on the list that we don't know about. You mentioned Salim Salim from Africa as a possible choice.

I wonder if the Administration is doing this deliberately or has not itself come to any firm conclusions and is hiding its own choice, or if, in the alternative, after the election it will be business as usual, and even though he promised to be a reformer and a one-termer, Boutros Boutros-Ghali will all of a sudden emerge as the one that goes forward for another 4 years.

Would any of you like to respond to that?

Mr. BOLTON. I think at this point the Administration is looking around for a way to get out of the problem that it has created. I think that they did not have a "Plan B" to fall back on. I don't think they did when Boutros-Ghali rejected the idea of a 2- to 3-year extension. What they have said publicly is that they have a job description, not a candidate. But the fact is, the way this process works, or at least the way it worked last time, is that the five permanent members of the Security Council ought to reach consensus on who they want, and the leadership there ought to be provided by the United States.

If you just sit back, and let the process develop where names bubble up, you run a risk of finding somebody emerging who ultimately is not acceptable. I think the press reports have been out there enough times on the two European leaders that you mentioned, and on some others, that there is some reason to believe there is conversation within the Administration on them. As I say, these rumors about Salim Salim have now gotten to the point where there is some credibility to them as well.

I believe that, given the extraordinary circumstance that we are in, it would be highly unusual, but desirable at this point, to ask the Administration to state publicly who their candidates are. I think, for one thing, that would have the beneficial effect of making it clear that the veto threat against Boutros-Ghali is a real threat, and try and get that whole issue off the table.

Some have said that that would be kind of like the kiss of death for the Administration's choice. All I can say is that their choice

won't remain private very long once they make it anyway, so we might as well get it out and have it debated.

Mr. SMITH. Dr. Kirkpatrick.

Ms. KIRKPATRICK. My understanding is that some persons, at least in the Clinton Administration, who will be involved in the selection of their determination of any future U.S. candidate for the job believe, as John Bolton has just suggested, that the U.S. active support of a candidate at this stage would have a negative effect.

Sometimes U.S. support does have a negative effect, because of general resentment of U.S. efforts at leadership, no matter what the issue is.

It is also true that France has had a particular interest in the candidacy of Boutros Boutros-Ghali because he was the specially chosen candidate of the late Francois Mitterrand; he is a Francophone with French education, who speaks excellent French. And they have been gratified at France's role in his selection.

And you know, they have a way of not being gratified of American leadership in almost any domain, so it wouldn't surprise me if they were particularly negative about a candidate pushed by the United States today.

I suspect that this selection process may confront us for the first time ever with a United European Union vote in the Security Council, and that will be interesting, if it happens. I think that a good many people expect that. And I think if I were there, I think I would expect it, too, frankly, mainly because of the French role in the Boutros-Ghali nomination.

So I believe that there is an effort underway right now by the Secretary General, Boutros Boutros-Ghali, and some of his friends to leave the impression that the Administration is undecided, and that they are in fact engaged in negotiations with him for an extension of the term.

There is no doubt that there are rumors out of the Secretariat itself that they have been engaged in conversations with the Secretary General looking toward an extension of 2 or 3 years on his term. You know, I can't be sure, but I don't believe these rumors are true, and certainly the Administration asserts that they are not. It is interesting.

Mr. SMITH. Would you want to comment on something Mr. Bolton had mentioned regarding Salim A. Salim?

Ms. KIRKPATRICK. I think it would be an offensive choice to President Bush, there is no doubt about that, because the view was often attributed to President Bush that Salim Salim would never be acceptable to him as Secretary General because of the personal dimensions of his behavior. I am not certain that President Bush would really feel that way, but I believe Salim Salim would not be a good choice for the United States, in any case.

Mr. SMITH. Thank you.

Mr. Hyde.

Mr. HYDE. Thank you, Mr. Chairman.

I would like to welcome Mr. Bolton, who is very welcome indeed. He has been a distinguished contributor to the great body of foreign policy, policy that Republicans have developed over the years, and of course Ms. Hsu is similarly a superstar in her field and we welcome her, too.

Just very briefly, and not so much on the notion of replacing Boutros Boutros-Ghali, but about the whole impact that the United Nations has developed. When it was first conceived in the wake of World War II, it seemed like a worthy successor to the League of Nations, that it would be a place for resolving difficulties and avoiding catastrophic world wars. Now it is the consummate world-wide nanny involving itself in a million different aspects, as Ambassador Kirkpatrick said, it is enormously complicated and sprawling.

I am sure there isn't much call for this; revisiting the Charter and trying to narrow its range, I see as it broadens its purposes and its involvement a declining interest in supporting it in the United States, a supra-government carrying about population and environment and all sorts of other things. I just don't see a lot of support for it.

I do think there is utility in having an international organization where the great powers and the lesser powers can meet and debate and discuss their ideas and even reach resolutions that can be through some consensus enforced. But this sprawling agency that looks into every aspect of humanity is something that ought to be *ultra vires,* as the lawyers say, and I am just wondering whether there is any thought being given to narrowing the character of the institution.

Mr. BOLTON. Well, one of the characteristics of the system as a whole is that with its many different parts, the specialized and technical agencies and others, there is a considerable amount of overlap and duplication among the work of the various agencies. One place to start is simply to try and eliminate that.

In the Bush Administration, we developed a concept we called the "Unitary United Nations", which was a way of looking at the United Nations as an entire system and trying to rationalize the many different pieces of it, to try and redefine their missions more carefully and monitor their work more closely. I think that is certainly something worth continuing.

But to cut through a lot of rhetoric, let's talk about what really makes the world go round, and that is money. I think the potential solution to the ongoing proliferation of responsibilities question is to eliminate the system of assessed contributions and make all contributions to the U.N. system voluntary.

Under a system like that, which is the same way the United States currently pays its share for such organizations as the U.N. Development Program, the U.N. High Commissioner for Refugees, the U.N. Children's Fund, the World Food Program, and a range of humanitarian development institutions, is that instead of being automatically socked every year for 25 percent, which is the typical figure of the U.N. Agency's budget, or 31 percent in the case of peacekeeping, that we pay each year what we think is worthwhile, and that every other nation of course would have exactly the same right.

There is a lot of opposition to abolishing the system of assessed contributions. I think what it proves is, just like any entitlement program that goes on too long, this one is broken and needs to be fixed. I think the system of voluntary contributions would definitely get the attention of the other U.N. members.

Mr. HYDE. Well, that is fascinating to contemplate.

Dr. Kirkpatrick.

Ms. KIRKPATRICK. This is a fascinating idea. I don't think it is going to happen. I don't think it would be met with any enthusiasm or acceptance in the United Nations.

Now, I think that any such reform, if you will, would have to be undertaken unilaterally and would be seen as and would constitute simply a total rejection of the principle of collegial determination of the financing of the United Nations.

I believe the United States is assessed at too high a level. I believe that the current 25 percent level of our assessed contributions for the regular expenses is too high. There is no good reason that we should pay more than twice as much as any other nation, and there is certainly no good reason that we should pay more than 2.5 times more in peacekeeping assessments than any other nation.

I wish to make a point about this, however. The issue of U.S. costs and contributions to the United Nations, particularly now that peacekeeping has become a major expense, is basically an intra-American issue, because at least half of our total peacekeeping expenditures, and probably more than half, it is estimated, are decided upon by the Administration and offered unilaterally *in addition to* our assessed peacekeeping costs. The simplest way to reduce our assessed peacekeeping costs is to pay no more than is assessed. This would constitute a revolution in U.S. behavior with regard to the United Nations and to peacekeeping; it would be a first step.

I believe we should do that in any case, and I believe the Congress should act to force peacekeeping contributions to the level of those assessed by the United Nations. I also believe the Congress should act to prevent the deployment of U.S. forces under U.N. command and control.

The position of the Administration on this is very ambiguous. Sometimes they say one thing and sometimes they say another. But I think that there is no reform of relations with the United Nations as important as these two reforms that can be implemented by the U.S. Congress, in fact. These changes could do much to contribute to the well being of our servicemen and could do more to contribute to lowering the costs of U.N. peacekeeping to us.

It is also important to note that the Congress—and in particular, the Senate—took an important step, which I notice that the President is deploying in his speech to the United Nations today, in declining to consider for ratification the chemical weapons convention, which would have resulted, had it been ratified, in the development of vast new intrusive bureaucracies and practices. And I think there is an important moral in this story, too. I think the Senate's action was correct for several reasons.

Mr. HYDE. That intrusive bureaucracy would not be effective in places where it needed to be effective.

Ms. KIRKPATRICK. That is exactly right. Because the countries who constitute the greatest threat of the use of chemical weapons would not have been members of the chemical weapons convention or signatories of a chemical weapons convention and thus eligible for the intrusive investigations and inspections under the chemical weapons convention.

So the point is that the Congress took that act. The abilities of the Congress to affect U.S. policy toward the United Nations and therefore U.N. policy, vis-a-vis us, are very large, and I think Congress' abilities really deserve the closest attention of the Congress and of this committee.

Mr. HYDE. If I may, Mr. Chairman. I may sound out of character in this expression, but I really am troubled by the question of American troops serving under U.N. command. I am troubled in perhaps a different way.

I can understand, say, in Macedonia the President or the top political people there being very uncomfortable having U.S. troops there, but being able to cope politically with having U.N. troops there, and I can see the domestic political utility to various countries in having and really needing a military U.N. presence without having a U.S. presence, and therefore, I am not entirely convinced that this serving under U.N. auspices is altogether a wrong thing if circumstances which require some military presence are to be dealt with.

Ms. KIRKPATRICK. May I respond, please?

Mr. HYDE. Please.

Ms. KIRKPATRICK. I think a case can be made under Chapter VI operations, the Chapter under which traditional conventional peacekeeping exercises were undertaken. It is in conflict, in war, under Chapter VII operations which permit the use of all necessary force, where it seems to me that it would not be desirable to have U.S. forces serving under U.N. command and control.

And the reason for that is quite simply that I do not believe that the United Nations can provide the kind of command and control that our servicemen deserve, frankly, because competent command and control knowing and having the skills, the training, the weapons and also knowing the capacities of the various troops which serve under it.

This diversity, which they call as they develop new bureaucratic terms is "interoperability", now one of the most used of bureaucratic terms. The combination of troops from 25 countries creates a lot of problems of interoperability.

You will find that the effort to combine forces from very different cultures, very different levels of modernization and very different sophistication and training, but treating them as interchangeable parts, doesn't work. At that point, then, it is discovered that there is a problem of interoperability.

The problem was first discovered in Somalia and it has afflicted every U.N. Chapter VII operation since then. And that is the reason I do not like to see U.S. troops deployed under U.N. command and control.

There are alternatives where it is desirable to have troops under U.N. flag, if you will, under U.N. banner, and then there are other alternatives when it is not desirable. You can have single nations do that; you can have single nations undertake the responsibility for the organization of such forces, as was done in Korea or as was done in Desert Storm. As a matter of fact, in both of those cases, it was done by the United States, or it was done by France in Rwanda. So I think there are other possibilities which take into account your concern.

Mr. HYDE. Thank you.

I have no more questions, thank you.

Mr. SMITH. Thank you very much, Mr. Hyde.

Let me just ask you, I do now have a copy of the President's speech hot off the wire, and he makes a couple of points that I would like to ask you to respond to.

In this whole long speech, if I am not missing something, he makes one very fleeting reference to the whole issue of reform. There has been angst regarding Mr. Boutros Boutros-Ghali, that he has not been a reformer, that he has not done the kind of streamlining and enhanced the effectiveness of the United Nations that we had hoped for. And yet the President says today, however, we also support the process of reform which has done great work in reforming and streamlining the bureaucracy and reining in on the budget and it should continue.

If I were sitting in the audience of the General Assembly, I would say, "It sounds like we are doing a good job. Attaboy, continue on. Why this consternation with Boutros Boutros-Ghali, when we are hearing that great strides have been made?"

If you could react to what I perceive to be a mixed message here being given to the General Assembly members and how it might play into the suggestion that, maybe after the election, the Administration would move ahead on continuing his tenure in office.

Second, if you would comment on this Acting Secretary General proposal, Mr. Bolton, that you had suggested, especially if there is a change in occupancy of the White House. It would seem to me that the United Nations will not have any realistic chance or hope of getting those arrearages and other kinds of financial support, if the choice is, say, a Salim A. Salim or someone that it is judged by a majority of Congress—especially if it stays in the hands of the Republicans—to be at loggerheads with us, someone who is a transnational type of leader, who seeks to impose an ideological agenda on the world, rather than being a great administrative leader. If you could answer both of those, all three of you, if you would like.

Mr. BOLTON. Well, on the question of the Administration's position on reform and its position on Boutros Boutros-Ghali, they have a consistent problem, and the problem is this: for 3.5 years they came before Congress and said, "The United States should pay its full assessment, the United States should pay its arrears, reform is under way, we are making strenuous efforts, things are changing, things are getting better, your failure to appropriate the full amount of your arrearages is impeding our further ability to undertake reform, but we are confident that the present leadership of the United Nations is doing the right thing." Up until May of this year, that is, when suddenly the leader of all of this reform is knifed in public, as not being satisfactory to continue as Secretary General.

Now, either reform in the first 3.5 years of the Administration was proceeding satisfactorily, in which case, I don't understand why they should dump Boutros-Ghali, or reform was not proceeding satisfactorily, in which case, I don't know why there was such concern about the lack of payment of the assessments.

Frankly, one of the reasons that I think we should move to a voluntary system of contributions is that I agree with those who say

we are tired of hearing that the United States has once again illegally held its treaty obligation requirements to pay 25 percent of the budget, or whatever the percent is. We can solve that problem fairly straightforwardly.

In the case of an Acting Secretary General, I think one other scenario that is possible here is that Senator Dole wins on November the 5th, but that there is substantial pressure among the membership of the United Nations to elect a Secretary General before the end of President Clinton's term, such that he would, for example, either not interpose a veto on somebody like Salim Salim, or certainly would not take a leading role in attempting to get somebody who would be acceptable to the next Administration. All I can say to the other 184 members of the United Nations is, if Senator Dole is elected President, if you want to push through a Secretary General before January the 20th, 1997, fine, go ahead, but the consequences could be severe.

I think it is in everybody's interest, and I want to say this again for those who support the United Nations in particular, there is no rush here to find a Secretary General. There is far greater risk in picking the wrong person who could serve a full 5-year term, than in taking our time, whoever wins the American election, doing the necessary consultation and getting the right person for the job.

Ms. KIRKPATRICK. I don't know why the Administration made the decision that it did to veto a second term for Boutros Boutros-Ghali. I was surprised by it. There was no advance discussion of it.

I don't know anyone among the other countries who feel that they understand the reasons, and no one in the Administration, including the permanent representative, Madeleine Albright, has volunteered to tell me what the reason was. They haven't told anyone, so far as I know.

I don't think there has been an explanation offered to the Congress or to the other members of the Security Council, nor are they required to offer an explanation. But I think, in fact, they haven't offered one anyway. I presume that there was a decision that he simply had not been adequately cooperative with the Administration.

I would like to say that I do know of two or three issues involving reform where he was given some credit for cooperation, which he didn't really deserve. One of these was the issue of the Inspector General. The Administration worked rather hard to try to secure an Inspector General for the Secretariat, and it was recommended by everyone who works at the United Nations and advocates reform. They recommended an appointment of an independent Inspector General.

The Administration, and Madeleine Albright quite particularly, worked very hard to get an independent Inspector General. The Secretary General appointed one of his best, a very old friend, as Inspector General, to assist him, which rendered the Inspector General independent of everyone except the Secretary General, which is the person who appoints him, subject to confirmation by the General Assembly, to be sure.

Mr. SMITH. Let me add—Mr. Bolton, you made a point about the 3.5 years—our subcommittee for almost 2 years has repeatedly

heard that the United Nations is reforming, making progress. We have had meetings, especially in the Outer Room, with the Under Secretary for Management, Joseph O'Connor, who would give us rather insightful, and not totally glowing, but hopeful signs that they are moving in the right direction. And as former CEO of Price Waterhouse, that has a certain amount of standing when he makes those comments.

So I, too, was baffled when the issue of reform and management becomes the principal reason, at least as far as we can tell, for vetoing the continuance of Boutros Boutros-Ghali. It just makes you wonder what is really at work here.

Mr. BOLTON. Well, I think it bears repeating that, as Jeane said, not only has there not been really a public statement of justification here in the United States, but everything that I have heard from friends and allies around the world was that they heard about it basically by reading it in the newspapers as well. As Michael Dukakis once said: "This is not a question of idealogy, this is a question of competence."

That is not the way that you conduct your diplomacy if you are really seeking to find the right Secretary General. And this mess that the United States finds itself in now is directly attributable, I think, to failed diplomacy.

Mr. SMITH. I appreciate that.

Mr. Payne.

Mr. PAYNE. Thank you very much.

I am sorry that I missed the testimony, but I might just ask a question—getting in on the tail end.

What is your assessment, I assume you have already given it, but maybe a very brief assessment of Secretary General Boutros Boutros-Ghali's administration for the year? Do you rate him as—any one of you, all three of you, perhaps—how do you rate, A, B, C, D, F, or whatever?

Ms. KIRKPATRICK. My assessment, Congressman Payne, is that he has been more determined to extend the powers of the Secretary General than any previous Secretary General. Again and again, he has claimed the powers which the Charter does not, in fact, provide to a Secretary General, but which rests in the Security Council; that he has again and again expanded the powers of the Secretariat in ways that are in contradiction to the Charter above in Chapter VII, concerning Chapter VII operations and peacekeeping operations, if you will, involving the use of force. And that he has been imprudent in this matter and in a way that has weakened the likelihood of successful operations, for example, in the peacekeeping field. And I have personally regretted this quite a lot.

Mr. BOLTON. In addition to that, I think he has just failed in his management responsibilities, he has failed as Chief Administrative Officer of the United Nations, he has failed to live up to the commitments that he made to us and other governments when he was campaigning for this position to begin with.

I know keeping your word isn't necessarily a prerequisite to reelection, but I must say, this is something that the United States should take very seriously.

Chairman Smith, you mentioned Under Secretary General O'Connor. I do think he personally is making efforts. He must have the

most unhappy job in the world, to be the American in charge of management and administration at the United Nations, a role that basically nobody else pays any attention to.

I don't think anything that I have said, certainly, or others today, was intended to reflect on him. We wish him nothing but the best, but he is in a no-win position at this point with a Secretary General who doesn't care about what he is trying to do.

Ms. HSU. As for the Family Research Council, our involvement in U.N. policies is very limited to those that affect the family, and we also have a military component to our program. But Boutros Boutros-Ghali, in our perspective, as Dr. Kirkpatrick has said, has overstepped his boundaries.

He has put into place social policy and has promoted social policy which is detrimental, not just to American families, but to families worldwide, and has really strong-armed many developing countries into accepting these policies—with the veiled threat that unless they do, they will face some sort of retaliation. And I think that it is important to note that Boutros Boutros-Ghali has been far more of an advocate rather than a manager.

Mr. PAYNE. Let me ask any one of you, you mentioned this new move into Chapter VII and it was imprudent.

Dr. Kirkpatrick, how would you, perhaps, if you were Secretary General, and maybe will be 1 day, how we——

Mr. BOLTON. Perhaps we could get the Clinton Administration to endorse her, Congressman. I would work with you on that.

Mr. PAYNE. How would you have handled the Somalian—this is the case in point, that we hear about things going awry. What would you have done differently?

Ms. KIRKPATRICK. Congressman Payne, I am very happy to address that question.

I believe that President Bush was very much on the right track with regard to Somalia and in his decision to provide massive humanitarian assistance to Somalia in cooperation with the French and several other countries. This decision sent, on a very urgent basis, food and medicine in massive quantities to save the tens of thousands, possibly hundreds of thousands of Somalians dying and threatened by famine.

He had the support of the American people. I think there was broad bipartisan support. I think that the Somalians were essentially out of danger from devastation by famine by the time President Bush left office. And it was also the case that before he left office, he was asked by the Secretary General to ask American forces to disarm warlords while he was there.

President Bush declined to do this on grounds that it would involve us more deeply in Somalia's internal politics, and particularly, an actual civil war, than he thought American forces should be engaged in. I think he was right about both of those.

He was right to send the food and medicine and right to decline to commit our forces to the Chapter VII operation that was called UNISOM I. I think UNITAF, which is what our operation was called, was a very successful operation. And I think UNISOM II is, by general admission, a failed operation, which ended by not really assisting Somalia much either.

They didn't achieve political reconciliation, and they didn't get the reformed police and courts; the system that was proposed, with the United States departing in a kind of rush. And we, of course, lost 18, 19 young American Rangers with 78 wounded in that operation. But also the Pakistanis lost 25 men, and a lot of countries who had volunteer forces lost men, I think, unnecessarily, in an ill-conceived, rushed and cobbled together kind of an operation, providing a good example of what you don't want to do. The Somalian operation is where that word interoperability first began to appear in discussions of U.N. peacekeeping. Our forces didn't have interoperability.

Mr. PAYNE. I don't know how much time I have.

There has been talk about attempting to have sort of a standing-type army, sort of like the French Foreign Legion used to be years ago, where people would not necessarily be representing their country, and I am going to ask you that question in a minute.

But you know, I went to Somalia three or four times, even during the height of the conflict. Each of the units that I met with, the French units that were up in their section, the Italian units and the U.S. units, none of these units would take on any conflict with the warlords without calling their capital, the Italians would call Rome before they would move, the French would call Paris, and the United States would call the Pentagon.

Now, that mission, that ill-fated mission where we lost those personnel, was a mission that was approved by the Pentagon, it was approved by Washington. It was not done by the Turkish commander. It is unfortunate that the total truth of that tragedy, not that it lessens it, but it wasn't a command by Boutros Boutros-Ghali that they got the approval to move. So, you know, perhaps they shouldn't have been given permission by the Pentagon.

Ms. KIRKPATRICK. Congressman, can I come in on that? I have thought a lot about this, I have looked a lot at the situation. I haven't been there as much as you have been, although I have been in a good many neighboring countries several times.

I think that a very important part of what is meant when people refer to interoperability and the problems of interoperability, is precisely the problems that arise in the attempt to integrate forces, which can lead to more than just problems, it can lead to a failure of the kind which you described.

Forces from diverse countries don't really constitute a single force. They constitute pieces of very different forces, and they continue to have reference to their own command systems, and as indeed our forces did. But the command systems to which they have reference are thousands of miles away in their government's capital. There are a lot of differences on the ground, as I am sure you know, between, for example, the Italians and various others' forces.

I have always felt that the saddest and most heartrending aspect of the death of those Rangers in Mogadishu, was the fact that they had to wait 8.5 hours before help, before another unit was found who was willing to provide the needed help to break out of that ambush and I beliweve two of our Rangers actually bled to death while they waited.

What was Boutros-Ghali's fault, let me say, was simply proposing and continuing to promote, in my judgment, operations using

force which were so badly integrated and which lacked competent cooperation and coordination.

Command is only one part of this. It is the lack of any kind of cohesion or cooperation or coordination among the forces which leads to these failures. For example, it is the lack of any comparable weapons that is the biggest problem of all.

It is the responsibility of every government who sends their own forces to ensure they have adequate protection. And it was certainly the Pentagon's decision to deny our forces in Somalia the heavier armor and firepower which they had requested, and which I know that some Members of the Congress have pressed some officers who were there about. Everyone agrees that that was an important decision which was negative in its impact. But there is a lot of room for everybody to both accept responsibility, I think, and also to learn from that operation.

Mr. SMITH. If the gentleman will yield briefly on that?

Wasn't part of the reason why Boutros Boutros-Ghali got implicated in that was because the mission evolved into a manhunt for Aideed and he had some influence on that, or am I missing something?

Mr. BOLTON. Well, I think that——

Ms. KIRKPATRICK. You comment and I will comment. Maybe we think the same thing about it.

Mr. BOLTON. Part of what happened in Somalia was a transformation of the traditional U.N. peacekeeping role into something beyond that, without having thought through what the implications of it would be. Traditional peacekeeping requires the consent of the parties to the dispute, the United Nations to act in a neutral fashion, and essentially to abjure the use of force except in self-defense.

Now, that role works in certain limited contexts, and what happened in Somalia was that pieces of those rules were bent or broken without thinking about what the impact would be.

For example, in attempting to pursue Aideed, the United Nations violated the criterion of neutrality. Should anybody be surprised that Aideed and his supporters reacted adversely to that? I mean, I don't think it takes a rocket scientist to figure out that they are not going to treat that with equanimity, and the result was that there were hostilities. And yet the United Nations was not willing, perhaps because we weren't willing, but certainly the United Nations did not respond in a way that could have permitted the forces to actually engage in real military operations. That is in contrast with UNITAF, the U.S.-led force that was there.

As General Powell said repeatedly, if the U.S.-led forces are in any way threatened, we will respond with, and I quote, "harsh force," harsh, and what he meant by that was, "Don't ever even think about it." There wasn't going to be any pretense of neutrality: we would defend the soldiers of the UNITAF coalition.

The United Nations thought it could sort of do a little bit of this and a little bit of that. It could abandon neutrality but not really be a fighting force. And the result was confusion, contradiction, lack of clear command and control on the ground, and mass political and military confusion that was a major contributing factor to the 18 Marines who were killed.

Ms. KIRKPATRICK. I would just like to add to this that I think it is a perfectly clear-cut case, though, where Boutros Boutros-Ghali certainly had a responsibility in encouraging and promoting the conception of the transformation of peacekeeping from its conventional shape, form and activities into something very different, something which more closely resembled a war, in which only one side is not very well armed and won't fire back.

But I believe that Boutros-Ghali's responsibility for our disaster in Somalia under UNISOM II is no greater than the responsibility of the Pentagon and the President, quite frankly. Or, for that matter, the French Government or the Pakistani Government, governments as well as the Secretary General which bear responsibility for those decisions.

Mr. PAYNE. And I think that as Mr. Bolton indicated, because you call Washington and get the approval, you don't necessarily alert—you know, the reason that there was no backup was that it was done as a covert operation. They were attempting where they thought Aideed was and went after him without the coordination, and so when the lack of a backup was there, because it was a secret mission and the rest of the, as you mentioned, uncoordinated forces had no idea that there would be an attack at the place where they felt Aideed was holding up.

And once again, you know, you talk about there should have been a backup, but there is an explanation why there wasn't a backup, which is because it wasn't an integrated operation; it was done by the Rangers who felt it was time to get Aideed, they got approval, and the tragedy occurred.

You know, I am just as outraged as anyone else about it, but I do think that it is only fair that as we discuss these issues, that all of the facts are brought out. It doesn't bring back our troops, but at least we should look at it in the totality of what occurred.

Let's see. There was one other last question, or next to the last question.

What is your opinion about a fighting force that would operate under the United Nations in an instance where it was necessary, where it wouldn't be U.S. troops or Pakistani troops or whatever, but an integrated body?

Ms. KIRKPATRICK. Congressman, my judgment is that for such a force to be effective in the kinds of problems that we have encountered in the last 4 our 5 years, let's say, that the United Nations has tried to respond to, for example, in Somalia but even more clearly in Bosnia, it would be necessary for such a force to be very large and very well equipped, and it couldn't take the form of a French Foreign Legion.

It would have to be something a great deal more elaborate than that. It would have to have intelligence capacities and have to have all of the kinds of things that are described in that book that Secretary Perry contributed to before he was Secretary of Defense, "Cooperative Engagement". And I don't think we want the United Nations to become a war-fighting institution.

I think the United Nations is very useful as an institution for talking and for listening. I think it is very useful as an institution for building consensus.

And one thing I have observed really again and again is that the United Nations does best in those activities in which there is broadest consensus. And I think that is one of the reasons that it does best with humanitarian efforts, such as the refugees, which has played such a fantastically successful humanitarian role, most of the time. During the 1980's, for example, there were 14 or 15 million refugees in the world who were being kept alive, literally, through the efforts of the High Commission on Refugees and the coordination of other institutions.

But I don't think that the United Nations is very competent or successful in operations which require a high degree of technological sophistication, like modern warfare, or which call for a very high degree of organizational integration, or especially those operations which require a lot of training. And I think that this is true not only for peacekeeping, I think this is true for development, as an operation to be undertaken by the United Nations which some people have been suggesting, as Mrs. Berlin has suggested, as has the Secretary General. It is often cited either for or against her, that she was active in developing the concept of sustainable development.

I am all for sustainable development, let me say. I want to see every country enjoy sustainable development, but I don't think we are going to get to it through massive U.N. programs. I think development occurs in different ways than that. I didn't think that Somalia would profit much in that way, through development by the U.N. operation.

I guess I think that the United Nations should leave fighting wars, that is, Chapter VII operations, basically, to the member States, and I believe that the countries seeking to develop, as most countries are, should focus on getting help from highly developed countries in their own regions and cultures which are likely to be helpful to them.

Mr. PAYNE. So you are sort of the Monroe Doctrine theory. For example, Libya as a rogue country, and Sudan, and Iraq, therefore, you are saying that we should, if we don't like what Iraq is doing, then it should be us and not a United Nations, not a combined force, or if Macedonia, Russia doesn't like something, Russia should go in, or in Indonesia, things are happening, maybe it should be South Korea that goes in, rather than trying to have a unified world sort of an approach? I mean, we are back to where we were in the cold war.

Ms. KIRKPATRICK. People talk about coalitions of the willing as a useful medium for dealing with really difficult, violent governments. You know, you might say that a coalition of the willing went into Korea when North Korea invaded South Korea with President Harry Truman taking the lead in organizing that coalition of the willing. You might also say that George Bush took the lead in organizing a coalition of the willing to deal with Desert Storm and Iraq's aggression there.

I think that the point is, is that we should focus on what the U.N. Charter says. The Charter is a wise document. The U.N. Charter suggests that the Security Council may want either to take on the responsibility itself for dealing with a case of aggression and violence, or it may want to designate a member State or a group

of member States. It also suggests that regional organizations may sometimes be most useful.

I think that generally a member, a competent member State or a regional organization is likely to be more successful than the U.N. Secretariat or even the Security Council operating as a global entity in dealing with local matters, yes.

Mr. PAYNE. Even in the case of North Korea, for example, if something happened and they were going to invade the South, that, too, should be just a willing—I mean, that was a U.N.——

Ms. KIRKPATRICK. Right. I think that in the case of South Korea, we are related by treaty to South Korea, of course, and I think it is very likely that the United States and South Korea would become the lead States in organizing some kind of coalition to deal with that operation.

I can imagine other situations in which other member States of the United Nations might be better suited to take the lead in organizing a coalition and a response than we would be.

Mr. PAYNE. Thank you, Mr. Chairman. You have been very generous. I will end.

I would just like to say that I really appreciate your point of view. And I also am confused, maybe for another reason, about the potential veto of Boutros Boutros-Ghali. I support his second 5-year term, which seems like it will not happen, but I am a Democrat and it is my administration, but I think that it is unclear to me why this action is being taken. And I think that we get into a problem of—when we say we are going to be the sole determiner of who will not be, I think you get into a kind of—because that can go on, you know, if, you know, some other big State may say, well, we are against whatever you want, and I hope that there can be some—you know, the lady mentioned the tough kind of social policies that the United Nations and Boutros-Ghali has been exposed to. You should see the IMF and World Bank, if you want to see some tough policies. When the IMF and World Bank go in and they are going to try to straighten out the economics, I mean, they are just very, very—the excruciating pain that is put on countries in order to get them moving in the right direction. Just saying that it happens with the Internet, they impose a heavy hand, either you do it in reform or you don't do it, and we are not going to release the funds.

But I do think that from a perspective of the Congressional Black Caucus, this has been the first Secretary General that has ever focused on Africa, in a sense that where it talked about sustainable development and movement and that Africa has become a continent that has been discussed and that resources have been utilized in—and even our own administration through the, I guess, Kennedy, right through to the present administration, there is very little priority for Africa. We are still hoping to sway the Administration that this is wrong.

Of course, I have to be a little partisan, that if, indeed, Mr. Dole, as you are saying, won, then I guess Africa would totally be eliminated. Because as you know, Mr. Helms proposed a 50-percent cut in development funds for Africa, from $802 million down to $400-plus million when there was a cut of the world appropriations. So I think that was shameful, really, to take a country most in need,

because perhaps it is the weakest among the nations or continents, and simply take away half of the funding.

So I would just like to say that I would hope at some point we could start dealing with sustainable development so that the poor countries would have an opportunity to attempt to grow out of the abject poverty that they find themselves in. And most of the Members of the Congressional Black Caucus also support Dr. Boutros Boutros-Ghali's reappointment. As you said, it doesn't seem like it is going to be in the works. But perhaps there could be a compromise. He wants five, they want one, maybe give him three. That is what they do in negotiations.

Thank you.

I yield back the balance of my time.

Mr. SMITH. Thank you, Mr. Payne, for your participation and your comments.

I would like to thank our very distinguished witnesses for their insights. I think this will be most helpful as we go into these final months before this election.

And perhaps, Mr. Bolton, your idea of a temporary, an interim, Acting Secretary General, might be a way of bridging the gap. I think it ought to be very seriously looked at, and hopefully the Administration is listening.

Again, I want to thank you for your fine testimony.

The hearing is adjourned.

[Whereupon, at 2:45 p.m., the Subcommittee was adjourned.]

APPENDIX

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Congress of the United States
House of Representatives
Washington, DC 20515–3004

Statement of Representative Christopher H. Smith
Chairman, Subcommittee on International Operations
and Human Rights

September 24, 1996

Our hearing today focuses on the office of Secretary General of the United Nations, and on the effect that the selection of a new Secretary General will have on the prospects for reform of that organization --- that is, on restoring its institutional integrity, its vitality, and its credibility.

While the United States is only one of 185 member states, our assessed contribution is a full quarter of the U.N.'s regular operating budget. In fiscal year 1996, our assessed contributions to the U.N. and its affiliated agencies totaled over 700 million dollars. That amount does not include the nearly 360 million dollars that we paid to support U.N. peacekeeping efforts. In fulfilling my duties as Chairman, I am concerned with assuring that the U.N. and its affiliated agencies are able to carry out their essential functions, such as promoting peace, co-ordinating international efforts to feed the hungry, and protecting refugees.

The great opportunities presented by multilateral engagement, however, also bring great temptations. On more than a few occasions the prestige and resources of international institutions have been hijacked by elites --- primarily Western elites --- to pursue ideological agendas that have been considered and rejected by the democratic institutions of their own countries.

The long and expensive series of world conferences recently held by the U.N. -- in Rio, Cairo, Copenhagen, Beijing, Istanbul, and elsewhere --- provide stark examples of this problem. During the course of those conferences and their many preparatory committees, millions of dollars were spent to fly thousands of people in from around the world. The conferences resulted in hundreds of commitments by member states. In the end, however, not too much of substance was accomplished --- and that's the good news. In the aftermath of each of these conferences, conservatives and moderates in the United States and around the world found themselves taking comfort in the assessment that not too much damage had been done. That this was the best we could have hoped for illustrates some systemic problems in the United Nations.

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The conference procedures were essentially undemocratic and lacked the basic checks and balances that help to moderate the drafting of treaties and other international agreements. For example, the drafting committee at Cairo was chaired by Fred Sai, president of the International Planned Parenthood Federation (IPPF/London), the largest nongovernmental population control organization in the world. The language produced by that committee was so plagued with bureaucratic slogans and ideological code words that a reader of ordinary English would have been hard pressed to understand exactly what it meant. But, of course, the ideologues stepped in after the fact to help fill in the previously obscure content of the supposed "Cairo consensus." One important part of that asserted consensus is that IPPF and similar organizations should receive hundreds of millions of dollars in additional funding.

Thus, at present, the U.N. has a twofold credibility crisis.

First, the U.N.'s credibility is waning within the United States, which pays the lion's share of its bills. Because of its lack of direct, democratic accountability, the U.N. spends millions of our dollars on things that the United States government would never be able to get away with. The problem is not merely one of waste --- of a bureaucracy whose salaries and perquisites are reminiscent of an imperial court --- but also of fraud and abuse. For example, the U.S. government would not openly undertake a project that, among its policy deliberations, suggests adding contraceptives to the water supply, "adopt[ing] Chinese incentives" to family planning, and changing Catholic social teaching by provoking schism within the Catholic Church. Yet that is exactly what has been done by the Millennium Project of United Nations University, which receives tens of thousands of U.S. taxpayer dollars. We cannot allow the U.N. to act as an ideological money launderer, funneling our tax dollars to projects that we find repugnant, and that we would never choose to support directly.

Second, the U.N.'s credibility is also waning in the developing countries of the world. At a time when many countries in Latin America, Africa, and the Islamic world are striving to protect their traditional cultures, U.N. conferences and affiliated institutions support cultural imperialism in the form of aggressive population control measures, political pressure to legalize abortion, and other controversial proposals founded neither in international law nor in a genuine international consensus.

Against this background, the selection of the next Secretary General is even more important than such decisions have been in the past. The United Nations is at a crossroads. It must reform its internal procedures, must expand its base of support beyond the professional governing class that has been its primary constituency, must convince the peoples of the world not only that it can be a real force for good within its legitimate sphere, but also that it will do no harm. On substantive as well as procedural issues, the new Secretary General must be a consensus builder, not a consensus breaker.

On the same day that it was announced the U.S. government would not support Boutros Boutros-Ghali for re-election, it was also reported that other candidates had emerged, apparently with tacit support from our State Department. Almost every one of these candidates had been in the forefront of the ideological disputes I have described. Two in particular, President Mary Robinson of Ireland and Prime Minister Gro Harlem Bruntland of Norway, have been

prominently associated with efforts to legalize abortion in countries that still protect their unborn children.

There are too many genuine, pressing needs in the world today to allow the U.N. to squander its prestige and its resources on a divisive social agenda that remains controversial even in our own country. If we are going to restore confidence in the U.N., we must select as Secretary General someone who is committed not only to procedural reform, but also to consensus building --- someone who is trusted not only by the U.N. bureaucracy and by professional diplomats, but also by the conservative and moderate majorities in most nations of the world.

If we really want to reform the U.N. and build an institution in which the whole world can have confidence, it is imperative that we avoid people whose talents lie in being always on the cutting edge of international social engineering. The job of the new Secretary General will be difficult enough if all of his or her energies are focused on institutional reform and on vigorous leadership of the core functions of the organization To take on the additional task of reminding sovereign states that they have more people than the Club of Rome would prefer, that they are too protective of their unborn children, or that they must abandon their traditional ideas about the family and its relationship to government, would surely cause the enterprise to collapse under its own weight.

I welcome our distinguished speakers. I look forward to hearing them address the question of how and where we can find a Secretary General who will be a vigorous reformer and an effective consensus builder.

MEMORANDUM

TO: Congressman Christopher H. Smith

FROM: Dr. Jeane J. Kirkpatrick

DATE: October 10, 1996

SUBJECT: My testimony of Sep 24, 1996, very belatedly

The U.N. Secretary General

Like the United States, the United Nations has a written constitution which defines the relationships and obligations of members and officers. The United Nations Charter is that Constitution. Formal ratification of the Charter is the legal basis of each member government's commitment to the United Nations.

Selection

The selection and functions of the Secretary General are specified in Chapter XV of the U.N. Charter. Article 97 states that the Secretary General shall be appointed "by the General Assembly upon the recommendation of the Security Council." The recommendation of the Security Council is made on the same basis as all other decisions -- by at least nine of the 15 votes of the Security Council with no negative vote of any of the five permanent members.

Duties

"He shall be the chief administrative officer of the Organization." [No term of office is specified]

(Article 98) He shall "act in that capacity at all meetings of the General Assembly, the Security Council, the Economic and Social Council and the Trusteeship Council and shall perform such other functions as are entrusted to him by these organs. He shall make an annual report to the General Assembly on the work of the Organization.

(Article 99) He "may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security."

(Article 100) He may not seek, or receive instructions from any government,

(Article 101) In addition he appoints staff on the basis of the regulations made by the General Assembly.

(Article 12) The Secretary General, with the Consent of the Security Council, shall notify the General Assembly at each session of any matters relative to the maintenance of international peace and security, "which are then being dealt with by the Security Council."

The Security Council's Role

The Security Council (which is the organization of member states) is assigned all the most important functions pertaining to peace and security.

- "The Security Council has the primary responsibility for the maintenance of international peace and security ..."
- It determines when there is a threat ... It functions continuously ... It makes its own rules...
- It seeks first pacific settlement of disputes, ...
- It can investigate any potential threat to peace and security ...

(Article 39) It shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall determine what measures shall be taken in accordance with Articles 41 and 42.

(Articles 44, 45, 46) It shall call for raising armed forces, establishing a Military Staff Committee, and permit the participation in decisions of Security Council of member states armed forces.

It ashall oversee military operations, directly or through the Military Committee, which consists of the chief military officer of the permanent members.

* * * * * * *

The Charter is entirely clear about the functions and duties of the Security Council, the member states, the Military Committee in restoring international peace and security.

The Charter assigns the Secretary General no functions in this domain.

Despite the clarity of the Charter, about the role of the Secretary General, questions arise because the present Secretary General has claimed some

extraordinary powers of "command and control" under Chapter VII, in operations involving the use of force.

He is not the first Secretary General to see himself as "president of the world," or "commander in chief of the world," or "chief diplomat of the world" -- but he is the first to have actively sought to implement such functions. His efforts have had very negative effects -- especially in Bosnia where he interpreted his role as enabling him to micromanage military deployments under Chapter VII and also, Chapter VI.

The issue is very important. There has never been and is not now a Secretary General with the skills and experience required for competent command and control.

The founders of the United Nations were wise enough to understand that very different skills, training and experience needed for these jobs.

The United Nations does not need a military officer to fill the job of Secretary General. It does not really require a diplomat as a Secretary General.

The United Nations needs as Secretary General exactly what the U.N. Charter says that it should have: an administrator -- a skilled, competent, dedicated administrator to oversee this sprawling, complicated, incredibly diverse organization -- to introduce more efficiency, economy, and competence into this extravagant organization.

And we should be clear, it is <u>still</u> an extravagant, badly managed organization, with a great deal of duplication and careless accounting. It needs sunset laws. It needs more inspectors general -- with real independence from their superiors.

The Next Secretary General

He should have a broad experience in the world, and know basic principles of good management.

I believe he or she should have demonstrated competence and experience of the administration of the U.N. system. I believe the next Secretary General should have demonstrated skills and interest in management of international systems.

* * * * * * *

Then there should be clear understanding with the next Secretary General about what his job is and is not.

1. He will not be president of the world.
2. He will not be the chief executive with the power to control the agenda of the Security Council.
3. He will not be the commander in chief of U.N. forces or operations.
4. He will not oversee military tactics.
5. He will not have a rapid reaction force at his command.
6. He will not oversee an elaborate intelligence operation.
7. He will understand and respect the powers of the Security Council.
8. He will be the chief administrator of a very important administrative job.

Testimony of

John R. Bolton

President, National Policy Forum

before the

Subcommittee on International Organizations and Human Rights

of the

House Committee on International Relations

on

Selecting the Next United Nations Secretary General

September 24, 1996
Room 2172
Rayburn House Office Building
Washington, D.C.

INTRODUCTION

Thank you, Mr. Chairman, for the opportunity to appear before the subcommittee this afternoon to testify on the state of the United Nations, and the selection of the next Secretary General. This hearing is especially timely, with our domestic assessment on the role and functions of the UN as widely debated as at any point since 1945.

In particular, the selection of a new Secretary General provides an excellent opportunity to examine a wide range of UN-related issues, and to make judgments about the place of the UN in American foreign policy.

In this prepared testimony, I would like, first, to describe the actual process which the Bush Administration experienced during the selection of the incumbent Secretary General, the first to be elected after the end of the Cold War. This very recent history helps provide a context for our current situation, which is as muddled and confused as any previously faced by the US in the UN.

Second, I would like to discuss a number of the suggestions that have been made by the UN's strongest proponents, and by their academic allies, concerning the selection of the Secretary General, and then analyze how those suggestions might actually work out in the real world of international politics.

Third, I wish to address the the current choices facing the United States and the proper criteria for selecting a Secretary General, and suggest some concrete steps to extricate ourselves from our present state of embarrassment and ineffectiveness.

I. THE EXPERIENCE OF THE BUSH ADMINISTRATION

Early in the Bush Administration, it became clear that reforming the UN system would have to become a high American priority. With the potential to resolve, or at least ameliorate, a number of major international trouble-spots (such as Namibia, Central America and Afghanistan) through UN involvement apparent, it was also apparent that bringing order to the UN's chaos was urgently needed. Through the organizing conceptual framework of "the Unitary UN," the Bush Administration attempted to rationalize disparate reform ideas to eliminate duplication, waste and incompetence throughout the Byzantine UN system.[1] Almost from the outset of this effort, it was evident that progress would remain limited without a committed and engaged UN Secretary General to drive reform within the system's bureaucracy.

Accordingly, American planning for the "succession" to Perez de Cuellar (whose second term was to end on December 31, 1991) began in late 1989 by trying to assess what qualities a new Secretary General should possess. There was no doubt in our minds at the Department of State, including Secretary of State James A. Baker III, that "PDC" had had his run, and that the tradition of serving just two terms had proven itself fully justified in his case. (President Bush was actually much more favorably disposed to retaining Perez de Cuellar, and it was well into 1991 before he finally settled on the need for a new S-G.) Moreover, we wanted to elect a Secretary General with enough time to have an American-style "transition," affording sufficient opportunity for the new S-G, before taking office, thoroughly to consider the management reforms he or she would make.

At the top of the U.S. list of qualifications was sympathy for Western and particularly American values and priorities. We had no illusions about finding a general representative of the world at large, and no desire for that matter; we wanted someone who thought like we did. A close second resume entry was management ability, and a determination to make sweeping changes in the UN Secretariat and the entire UN system, along "Unitary UN" lines. We believed we were long past the point of band-aids, and a new Secretary General had to be willing to use an ax, not just a stiletto. Third, the U.S. wanted someone who understood that he or she reported to the Security Council, and particularly the Perm Five, on matters of international peace and security, not the other way around. We were not interested in finding either a "president of the world" or a diplomatic free-lancer, but rather a "chief administrative officer" as specified in Article 97 of the UN Charter.

Equally important were the qualities and potential roles we rejected. We did not want the world's most accomplished expert on the fashionable litany of "transnational problems" (such as the environment, women's issues and family planning), who would constantly try to insert the UN into every conceivable new issue area. Nor did we want a grand theorizer or academic observer who could conceptualize future international orders, largely for the same reasons. Lastly, we did not want a UN cheerleader, someone who might get so carried away on behalf of the organization that he or she forgot who paid the salaries.

In the initial consultations with the other Perm Five in early 1990, we stressed these points. The British were wholeheartedly in agreement, and especially, indeed adamantly, convinced that PDC had to go. The French first thought that perhaps Perez de Cuellar might be extended for all or part of a new term, but their real agenda was to support the claims of the African members, who were asserting that it was "Africa's turn" for a Secretary General. France also wanted an S-G who was fluent in French. We considered both points irrelevant to the real search. Nonetheless, the Soviet Union and the Chinese were also swayed by the possible renewal of Perez's mandate, and definitely sympathetic to the "Africa's turn" line. The possibility of a Western European was quickly rejected, especially by the British and French. The possibility of an American was never discussed. The Soviets were the first to suggest that perhaps it was time for a female Secretary General.

During the months that followed, we were in continual discussion with the other Perm Five, as well as with other interested governments, playing out in elaborate detail many of the considerations just sketched. Candidates and their governments and other supporters tried to structure the list of qualifications in supportive ways, following the peculiar prevailing protocol of a succession struggle for the S-G position. The Norwegians, for example, in one of the most professional of all the "campaigns," argued persuasively that the next Secretary General should possess both a deep understanding of the Soviet-American relationship and an ability to bridge the North-South divide. Not surprisingly, this job description sounded a lot like their view of Norwegian Prime Minister Gro Harlem Brundtland. Other governments, from Argentina to Zimbabwe, did the same.

From friends and neutrals alike, the United States received considerable conflicting advice about how to proceed. Some governments strongly urged the U.S. to decide on its preferred candidate or candidates, and then vigorously (albeit privately) wage a diplomatic campaign on their behalf. Otherwise, they argued, a great opportunity for the UN would be lost. (Many of these also feared an extension of Perez de Cuellar's tenure, and believed that a passive American attitude would facilitate just such a result.) Other governments warned that a forward-leaning U.S. position would cause a backlash among those who still considered themselves "non-aligned," jeopardizing the chances of our real preference. These governments counseled a more indirect strategy, recognizing the possibility of delay and obstruction that might result.

By the Spring of 1991, virtually all agreed that reinvigorating the UN required a new Secretary General, but virtually none was willing to say so publicly. In fact, even the United States said nothing publicly, because we did not regard the press as the best venue in which to conduct our search for a new S-G. In addition, of course, as I realized very uncomfortably during that period, while I was canvassing the world looking for a successor, President Bush was privately exploring with other heads of government ways to re-elect Perez de Cuellar. The President believed our interests were being well-served by the incumbent, and he was skeptical that we would do as well with any of the potential successors who were being "mentioned" (by themselves or others). Interestingly, while President Bush was still considering the retention options, other governments, led by the French, were backing away from it.

Despite considerable supportive rhetoric from some about "Africa's turn," and because the Perm Five generally did not seem to be coalescing around an African candidate, the African governments decided to move on their own. They fully realized that they had blundered badly in 1981, when the member governments were attempting to decide whether to choose a successor to Secretary General Kurt Waldheim or whether to reappoint him, and when the "Africa's turn" argument had first been raised. At that time, in June, 1981, a summit of the Organization of African Unity ("OAU") in Nairobi had settled on Salim A. Salim, then Foreign Minister of Tanzania, as the "African candidate." Despite unequivocal support from the PRC and non-aligned nations, the United States repeatedly blocked Salim's election.[2] Similarly, Beijing repeatedly vetoed Waldheim's re-election. Ultimately, out of near exhaustion, Perez de Cuellar emerged as a compromise selection acceptable to all.

In June, 1991, ten years almost to the day after the mistaken endorsement of one, and only one, African, the OAU summit promulgated a list of four acceptable African candidates: Bernard Chidzero, Finance Minister of Zimbabwe; Ken Dadzie of Ghana, Secretary General of UNCTAD; James Jonah of Sierra Leone, a UN Under Secretary General; and Olusegun Obasanjo, former President of Nigeria. By so doing, the OAU hoped to avoid the charge made in 1981, that they had been attempting to dictate to the rest of the UN membership the identity of the next Secretary General by endorsing only one candidate. Now, they argued, they had provided a range of options, insisting this time only on the fact of an African S-G. In the absence of any definitive word from the United States, the African strategy seemed to make good political sense from their perspective.

From the U.S. perspective, however, it was still unclear what we should do with the President unwilling to settle on a short list of preferred candidates. Instead, Secretary Baker instructed me to use the time available to continue refining our criteria, and matching them against the ever-changing list of those "mentioned" for the S-G position. This assignment included meeting with almost all of the "candidates," listening carefully to their priorities, and trying to separate the campaign rhetoric from the substance. Moreover, extensive consultations with the other Perm Five were also continuing, reflecting the generally strong desire that the Five function together, in order not to be split apart by the various contenders and their supporters.

By mid-summer, 1991, however, a new factor had appeared. Among the Africans, the Francophones were reportedly deeply offended that no fluent French speakers had finished among the "front four" at the OAU summit, and they were casting about for alternatives. Simultaneously, the government of Egypt began pushing Boutros Boutros-Ghali, then Minister of State for Foreign Affairs, a junior Cabinet-level position. Boutros-Ghali was an Arab, a national of an African state, and a fluent French speaker. We wondered at the time whether this coincidence might have been inspired in Paris, and even more so later when French Foreign Minister characterized Boutros-Ghali as "the candidate of my dreams." Anglophone African states, learning of the Egyptian c[illegible]dacy, argued in response that this was not exactly what they had had in mind in originally m[illegible]ne "Africa's turn" argument.

In due course, another [illegible] summit added Boutros-Ghali to the list of "acceptable" African candidates (along with Francois Owono-Njuema of Gabon), and by early August, France

had firmly and vocally settled on the Egyptian as their candidate. The United Kingdom, in turn, was almost wholly negative. The French vigorously lobbied us with the argument that Boutros-Ghali's "campaign" commitment to serve only one term as Secretary General guaranteed him the "independence" to be a credible leader within the Secretariat for massive management reform, and, accordingly, warranted our support. We worried that "independence" might actually cut in several directions. Although the time before the late September opening of the General Assembly was growing short, there was little movement in any direction (although there were numerous consultations to fill the time) during the rest of the summer.

Rumors abounded internationally, however, about the interest of Canadian Prime Minister Brian Mulroney, then in desperate domestic political shape, and President Bush's alleged personal support for Mulroney. Whether and to what extent any of that is true will have to await the President's memoirs, as with so much in the Administration's foreign policy that was discussed only between Bush, Baker and two or three others. It is certainly true that once "mentioned," Mulroney's name was frequently discussed, and we certainly considered him a "candidate." We were never directly informed by the White House, however, that the President had made such a decision. The Department of State institutionally was never asked to do anything whatever on Mulroney's behalf, and, if asked directly, I would have rated his chances of election as little higher than that of an American citizen. In any event, the U.K. was opposed, and that was the end of it, without even asking the Soviets and the Chinese. (Mulroney later publicly announced his non-availability, but only after informal balloting had already begun in the Security Council.)

There matters largely stood, until President Bush's address to the opening of the General Assembly's Forty-Sixth Session on September 23, 1991. The President twice referred to Perez de Cuellar stepping down as Secretary General, which was uniformly understood to mean that the U.S. supported that step (as the speech's language had been specifically intended to do). Unfortunately, despite numerous internal suggestions and discussions, the U.S. still had no preferred candidate, and it was only at this point that it became clear to me why we had received no authoritative decision.

In the aftermath of the Persian Gulf War, the peace process which led to the Madrid Conference on the Middle East, which opened on October 30, 1991, played a central role in American foreign policy. As I came to understand it, the strong position of the Government of Egypt, and especially the personal persuasiveness of President Mubarak, on behalf of Boutros-Ghali had been unwaveringly viewed through the prism of the preparations for what came to be known generically as "Madrid." Accordingly, no American action during 1991, however seemingly insignificant, was to be permitted which in some way might divert Mubarak's support for the Administration's Middle East policy. Thus, we were instructed to do nothing to call into question Boutros-Ghali's campaign, or to advance anyone else's. If the fates dictated that Boutros-Ghali was not otherwise irreparably tainted, and if, in the absence of a U.S. position, Egypt could generate the requisite support, the United States would not stand in his way.

This is how Boutros Boutros-Ghali became U.N. Secretary General.

Had I recognized this fact earlier, I probably could have saved myself a lot of work during the Spring, Summer and early Fall of 1991, but I am not sure that even higher authority would have described the U.S.policy so directly until just before the ceremonial opening of the Madrid Conference. Significantly, however, while France preferred Boutros-Ghali and the British preferred Chidzero of Zimbabwe, neither the Soviets nor the Chinese had a single preferred candidate. All were willing to vote in favor of, or at least, in the crunch, not veto, several of the leading candidates, which meant, ironically, that majorities on the Security Council were being left to the votes of the ten non-permanent members. Because of the predominance of members of the Non-Aligned Movement among these ten, and the NAM's unhesitating support of the "Africa's turn" argument, the result was that the African claim was proceeding as if unquestioned and unchallenged. Frustrating though this was after all of the groundwork we had been laying for the "Unitary UN" concept and UN reform, this was the course events were taking.

Interestingly, even with the United States functionally sidelined, the last-minute maneuvering left Chidzero and Boutros-Ghali neck-and-neck within the Security Council. Nonetheless, on Thursday, November 21, with eleven affirmative votes and no vetoes, the Council recommended Boutros-Ghali to the UN General Assembly, which, in turn, elected him as Secretary General on December 3, 1991.

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[1] I have described the "Unitary UN" concept in more detail in "Toward a Unitary U.N.: Creating Political Order Out of Agency Chaos." Common Sense, Issue 11, p. 97 (1996).

[2] President Bush well remembered when he was the U.S. Permanent Representative in New York, and Salim A. Salim represented Tanzania. One of the key Cold War confrontations at the UN in those days was the annual effort of the Communist bloc and the Thid World to oust the Republic of China on Taiwan, and replace them at the "Chinese seat" with the Red Chineese government in Beijing. When the Peoples Republic of China finally prevailed over determined American opposition in 1971, the anti-American forces were publicly jubilant. Salim himself danced in the aisles. To his everlasting credit, President Bush never forgot the scene.

II. ACADEMIC THEORIES ON SELECTING A SECRETARY GENERAL

There has been considerable commentary in academic circles, and among devotees of the United Nations, about how to "improve" the selection process for the position of UN Secretary General. Although there are many differences among the proposals, a common theme is intense dissatisfaction with the performance of UN member governments in their previous efforts to select an S-G. In particular, the Five Permanent Members of the Security Council are criticized for allowing their own national interests to affect their judgments.

Typical of the criticisms are those found in the Report of the Commission on Global Governance:

> "The present procedure for appointing the world's leading international civil servant is, to say the least, haphazard and disorganized. Furthermore, the veto power of the permanent members of the Security Council dominates and inhibits the process. Over the years, this process has become an increasingly parochial way to secure a nomination that can obtain the support of all five permanent members and the required vote in the General Assembly."[1]

The Commission also decries the lack of an "organized search for suitable candidates," and "no systematic assessment of the qualifications required or presented by candidates."[2]

In place of the existing system, the Commission on Global Governance proposes abolishing the veto power for the Perm Five in the Secretary General selection process. Instead, they suggest that "the Security Council should organize a world-wide search for the best-qualified candidates," so that "the qualifications and suitability of candidates should be systematically checked." Perhaps no recommendation more typifies the Commission's approach than its unqualified assertion that "individuals should not campaign for the office."[3]

Similar in reasoning and approach is the series of reports written by Erskine Childers and Brian Urquhart, the most recent being issued just a few weeks ago.[4] In addition to the systematic search procedures mentioned above, Messrs. Childers (who died just before the study was published) and Urquhart also recommend that the Secretary General be limited to one seven-year term. Madeleine K. Albright, the Administration's Permanent Representative to the UN in New York, expressed concern that the Childers-Urquhart suggestions could create "a bureaucratic process" that would be undesirable.[5]

Alluring though these proposals might be in an academic setting, they are so far divorced from reality that they distract from the actual hard work necessary to select a Secretary General. As the 1990-1991 experience of the Bush Administration demonstrates, it is not for lack of preparation, carefully drawn criteria, close scrutiny of candidates (including interviews) or any other "process" failure that Secretaries General do not meet the commentators' satisfactions. At least from the perspective of the United States, all of these procedural notions can -- and have been -- adopted or accommodated.

The simple truth, however, is that the rest of the UN membership, by and large, simply does not share the American enthusiasm for selecting a "Chief Administrative Officer." Thus, internationalizing the selection procedure will simply bring gridlock into an earlier stage of the decision making. Even among the Perm Five, in 1990-1991, only the British fully shared the U.S. priority for management skills in the next Secretary General, although the Soviet Union's position was also supportive. China supported the "Africa's turn" argument, and France's highest priority was finding someone who spoke French fluently. Surely, if the Perm Five cannot even reach consensus on the appropriate criteria, it stretches the imagination beyond the breaking point to add 180 other nations into the mix.

Prior to the election of Mr. Boutros-Ghali, of course, the selection process for Secretary General was inextricably linked to the state of play of the Cold War, and might, therefore, be considered inapplicable for the future. The Perm Five could not consult effectively on this issue -- as they were similarly handicapped on peacekeeping and other key questions -- because their overarching global conflicts made it impossible to do so.

Today, however, and for the past several years, as the Cold War has faded, those obstacles have receded. Thus, if there are to be improvements in the S-G selection process, they can realistically arise only if the Perm Five consult and concert their actions effectively. That potential was not realized in 1990-1991, and it is manifestly not being realized today, either. The Perm Five's recent inability to reach agreement on a Security Council resolution condemning Saddam Hussein's incursion into the northern regions of Iraq is simply the latest confirmation that Perm Five unity and effectiveness lies in tatters. Whether the Perm Five can be stitched back together again in a timely fashion for the purpose of selecting a new Secretary General, or whether a much longer period of repair is necessary, is extremely problematic at this point.

What should be the centrality of the Perm Five's role in the S-G process is grounded firmly on the reality that a Secretary General must be accountable to the Perm Five. Otherwise, he or she will function both without adequate supervision, and, ultimately, without adequate support. Political accountability to, and managerial support from, the Perm Five are opposite sides of the same coin that strengthen both the Secretary General and the Perm Five, not to mention the United Nations as a whole. This is not an abstract theory, but simply the obvious assessment of recent UN history. Frustrating though it may be at times to all of the participants, the critical role of the Perm Five has no viable substitute under present or foreseeable circumstances.

Nonetheless, none of the alternative, academic S-G selection models which have been recently proposed, embody any serious prospect of a more efficacious solution. To the contrary, their adoption could well result in further UN movement toward a complete dead-end, at least from the U.S. perspective, as the organization's processes and culture moved farther and farther away from the real world.

[1] The Commission on Global Governance, Our Global Neighborhood, Oxford University Press (1995), at 293.

[2] Id.

[3] Id.

[4] Crossette, Barbara, "Study Faults Procedures For Choosing U.N. Chief," New York Times, Sunday, September 1, 1996, p. 4, col. 1. See also Childers and Urquhart, Renewing the United Nations System, Uppsala: Dag Hammarskjold Foundation (1994) and childers and Urquhart, Towards a More Effective United Nations, Uppsala: Dag Hammarskjold Foundation (1991).

[5] Crossette, supra, n. 4.

III. WHAT TO DO NOW

When Boutros Boutros-Ghali and his supporters were campaigning for the position of Secretary General in 1991, they made it clear that he intended to serve only one term. They argued that his self-imposed one-term limit would strengthen his hand in implementing major reforms in the UN system. Freed from any desire to seek another term, they said, Mr. Boutros-Ghali would be better able than his predecessors to withstand the inertial forces against reform.

The Bush Administration took this one-term pledge at face value in 1991, and I see no reason not to uphold the pledge today. Reform has not proceeded at the pace we expected, and there is no reason to believe that a second term for the incumbent will make it proceed any faster. Although a new Secretary General does not guarantee major reform, without a new S-G, we can virtually guarantee the opposite: drift and indecision, or even retreat.

Unfortunately, however, the United States now finds itself isolated and alone on this issue in the Security Council -- in short, in the worst possible position to attempt to influence the selection of the next UN Secretary General. The Clinton Administration has announced its intention to veto the re-election of Boutros Boutros-Ghali, but it does not presently give any indication of having an alternative candidate. Apparently, little or no notice was given to our allies prior to the announcement of the Administration's intention to cast such a veto. Even worse, very few governments seem to take the Administration's veto threat against Mr. Boutros-Ghali seriously. The other Permanent Members of the Security Council either support his re-election, or, in the case of the United Kingdom, remained distant from the American position. All other member governments which have made public statements (with one exception, Rwanda) also support Mr. Boutros-Ghali's re-election, including through the endorsement, albeit lukewarmly, of the Organization of African Unity. While nearly a dozen alternative names have been "mentioned" in press speculation, not a single UN member has publicly endorsed another candidate. The end of the current term is fast approaching, and there is no answer in sight.

So bankrupt is the Administration's position that news reports state that its officials acknowledge they would even consider Salim A. Salim of Tanzania, whose 1971 role in opposing American policy on the "China seat" issue will not soon fade from view. Salim, then Tanzania's Permanent representative to the UN in New York, was one of the Third World Ambassadors who most visibly resisted the U.S. efforts to permit the Republic of China on Taiwan to maintain representation in the UN. The New York Times recently characterized Mr. Salim as "remembered by Americans for having danced in glee when the General Assembly overruled Washington" on the question of Chinese representation.[1] The dance in question took place on the floor of the General Assembly immediately after the vote replacing Taipei with Beijing. George Bush, then U.S. Perm Rep in New York, remembered the dance well a few years later, as the United States repeatedly blocked Salim's 1981 effort to become Secretary General. (Ultimately that year, Javier Perez de Cuellar was elected as a compromise candidate.)

At the same time, officials of the UN Secretariat have been accused by the Administration of openly campaigning for Mr. Boutros-Ghali's re-election. The Administration's

U.S. Mission in New York stated: "It is our intention to look into how UN personnel are being used by the Secretary General for this purpose." Although the spokesman did not name individuals, he did say "They know who they are."[2]

Even more amazingly, Secretariat officials have been openly critical both of the Clinton Administration and of American political figures outside the Administration. A UN spokesperson, Sylvana Foa, responded to the Clinton Administration's concerns by saying: "These threats and blatant attempts at intimidating UN staff really smack of the McCarthy era. . . . There's an odor there of something I remember when I was a kid in the '50s."[3] Having finished with the Clinton Administration, Ms. Foa recently turned her attention to the Republican National Convention, finding much of what was said about the UN "amusing." She went on to assess the Republican Party:

> "I think it's worrying that a party that would seek to lead America would be so ill-informed about how the United Nations works. . . . There's so much disinformation. After a while you get to the point where you say are these statements pandering to people who are paranoid about the United Nations or are they addressed to a well-informed American public? Sometimes it's quite frightening."[4]

Press reports state that Ms. Foa is an American citizen.

In order to climb out of this ditch, I recommend that the United States -- and anyone else who is interested -- bear several points firmly in mind. First, faced with a truly resolute American Administration, the incumbent will never be elected to another term. The Security Council -- subject to the veto power of the five Permanent Members -- must play a role in deciding the identity of the Secretary General, and it cannot be eliminated from the selection process.

The conventional wisdom in UN circles now apparently foresees no real action on the Secretary General until after the American election on November 5. To force the issue before that point would, so the theory goes, result in a U.S. veto of Mr. Boutros-Ghali in order to prevent him and the United Nations from being an issue in our presidential campaign. Under this scenario, supporters of the Secretary General believe that, if President Clinton is re-elected, he will reverse his current veto position, and -- freed from electoral constraints -- support Mr. Boutros-Ghali for another full term. In UN circles, I have found only blank radar screens to forecast what happens if Senator Dole should be elected President.

Thus, the Secretary General's re-election strategy relies on a post-November 5 flip-flop by the current Administration. An alternative strategy which has been floated is to avoid the threatened U.S. veto entirely by excluding the Security Council from its proper role in selecting a Secretary General under Article 97 of the Charter. Under this alternative strategy, only the General Assembly need act to extend Mr. Boutros-Ghali's tenure in office; since he is thought to enjoy solid majority support in the General Assembly, this approach is itself an implicit threat to the United States by circumventing the veto power held by the Council's five Permanent Members.

As precedent, supporters of this alternative cite the experience of the UN's first Secretary General, Trygve Lie, whose initial five-year term expired on February 2, 1951. When the Security Council met in the fall of 1950 to consider the issue, Mr. Lie was endorsed by nine of the eleven members, but the Soviet Union repeatedly vetoed his re-election because of his support for the Security Council-endorsed actions to assist in the defense of South Korea. In turn, the United States had threatened to veto any other candidate for Secretary General, leading the Council into deadlock, and with no apparent solution.

As a way out of the impasse, the U.S. and others, carefully reading the Security Council and General Assembly resolutions which had authorized Mr. Lie's first term, concluded that an "extension" of Mr. Lie's term by the General Assembly alone would be sufficient. Because the original Security Council's resolution recommending Mr. Lie had not mentioned a duration for his tenure, and since the five-year term had been set by the General Assembly's separate action (on January 24, 1946) in adopting Resolution 11(I), his proponents, including the United States, France and the United Kingdom, argued that no action by the Security Council was necessary. Whether legal or not under the UN Charter, this position prevailed politically, and Mr. Lie's term was extended for three years in General Assembly Resolution 492(V), by a vote of 46-5, with nine other nations either abstaining or absent.

I believe that the Lie precedent was wrongly decided in 1950, and that the United States' interpretation of the UN Charter was gravely mistaken in circumventing the Security Council, even if only seen as an emergency measure.[3] Indeed, the United States is almost always wrong when, for purposes of momentary political expediency, it acquiesces in a diminution of the Security Council's authority, or a transfer or delegation of that authority to the General Assembly, the Secretary General or any other UN component.

In any event, the Lie precedent is utterly inapplicable today. In Secretary General selections subsequent thereto, the Security Council resolution endorsing an S-G nominee has precisely specified the proposed term of office. In turn, the parallel General Assembly resolution has endorsed the same term. Accordingly, the practice is that the Security Council's Article 97 recommendation has been for a designated individual to serve for a precise period of time, rather than an open-ended endorsement of one person, as in the case of the Council's initial recommendation of Mr. Lie. Thus, whatever the merits of the 1950 argument that the Security Council's silence on the length of Mr. Lie's term was an enabling grant of authority to the General Assembly to set, shorten or extend the S-G's term in office, that argument is simply not tenable in the present circumstances.

Here, Security Council Resolution 720, adopted on November 21, 1991, states specifically that the Council recommended Mr. Boutros-Ghali "for a term of office from 1 January 1992 to 31 December 1996." Similarly, General Assembly Resolution 46-21, adopted by acclamation on December 3, 1991, appointed Mr. Boutros-Ghali to be Secretary General for precisely the same term. Accordingly, there can be no dispute that the UN Charter requires that the Security Council must make a new recommendation to the General Assembly regarding the S-G position for the

period starting on January 1, 1997.[6] Any General Assembly resolution without such prior action by the Council would be illegal and void under the Charter.

This legal analysis, and its widespread acceptance by the UN membership, would be extremely useful in moving the S-G debate to its proper next stage, which is: what kind of person should replace the incumbent? What qualifications and experience should we seek, and how should those qualifications be assessed in the light of the existing and future American interests in the UN and its functions?

Thus, my next point is: Second, Article 97 of the UN Charter calls for a "chief administrative officer" as Secretary General. Especially now, we need someone in that position with management skills and background, a management focus, and management goals.

Stressing the need for a strong manager may seem unexceptionable, but it is critically important for the future of the UN, frequently misunderstood by UN supporters and critics alike, and too often forgotten. As I have noted, the Bush Administration certainly started out with this precept in mind, but exigent political circumstances diverted us from the original course. Given the present parlous state of the UN, being diverted yet again this year could well have the most serious consequences for the very continuance of the organization itself.

Moreover, we need to understand that many people simply do not agree with the principle itself. In this country, in the present political climate, they may not be bold enough to say so publicly, but they strongly believe that stressing management skills is only a tactic to overcome the present disdain in which the UN is held by so many. They have other, much broader agendas for the UN Secretary General and for the organization as a whole, which they wish to pursue once this minor inconvenience of the current U.S. political scene is overcome.

Although this hearing is not necessarily the place to debate these far larger policy issues, I believe that it is nonetheless helpful to understand fully what the Secretary General is not. He or she is not the President of the World. He is not a diplomat for all seasons. He is not Mr. Friend of the Earth. And, most definitely of all, he is not the Commander-in-Chief of the World Federalist Army. He is the UN's chief administrative officer. Nothing less than that, to be sure, but with even greater certainty, nothing more.

Losing sight of these limitations can only cause both the US and the UN even more difficulty than we already face, as is true for the next point as well.

Third, there should be no geographic, religious, linguistic or gender quotas in the selection of the Secretary General. As previously noted, and very distressingly, the Clinton Administration has already signaled its acquiescence to the idea that Africa is "entitled" to two terms as a Secretary General by someone from the African continent. The Bush Administration, by contrast, not only never acknowledged the legitimacy of geographic quotes, but explicitly rejected them, as common sense alone would prudently dictate.

The search today should be for the person best qualified to be the UN's chief administrative officer, without regard to that person's country of origin or present residence. The earlier Secretaries General were not elected on the basis of a geographical rotation system, and we should not endorse such a selection system now. Likewise, criteria other than the individual excellence of each candidate should also be rejected. The UN carries enough oppressive baggage with it already, and needs no more. Specifically, although the principle of geographic "slots" has considerable applicability within the UN system, I would argue that there is no evidence whatever to support the proposition that geographic quotas have made the organization better, more efficient or more acceptable. What evidence does exist is entirely to the contrary.

This argument rejecting geographic and other quotas is decidedly unpopular among the majority of UN member governments. Imagine, however, how even more unpopular would be the argument that North America has never had a Secretary General, and is now "entitled" to one. Indeed, none of the five Permanent Members have ever had one of their nationals seriously considered for the position. Is it now quota time for the Perm Five?

Fourth, we should not rush to decide the succession question. An Acting Secretary General can always be named until we are ready with a replacement for the incumbent. Although not specified in the Charter, there is both inherent authority and precedent (U Thant) for selecting an Acting S-G for the period commencing January 1, 1997. Especially if the United States elects a new President on November 5, it is only logical to defer a decision until the new Administration can be inaugurated and undertake its own search for satisfactory candidates.

Moreover, given the present parlous status of our position in the UN, there can also be no dispute that extensive consultations with the other Permanent Members of the Security Council, and many other member governments would be required to support for the U.S. candidate. For well or ill, these consultations, and the diplomatic lobbying campaign that will no doubt be required thereafter, could take quite some period of time. In such circumstances, even a one-year extension of the incumbent would probably be better than hurrying to select an inexperienced successor before the new U.S. President is sworn in.

Avoiding a rush to select Mr. Boutros-Ghali's successor is important not only for the United States, but is perhaps even more important for the United Nations itself. The plain fact is that if this next Secretary General is not well and carefully selected, neither we nor the UN may ever have to worry about the issue again. The UN's strongest supporters should bear this point carefully in mind.

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[1] Crosette, Barbara. "U.S. Warns U.N. on Campaigning for Post." New York Times, July 23, 1996, p. A6, col. 1.

[2] Id.

[3] "Daily Press Briefing of Office of Spokesman for Secretary-General," typescript, August 14, 1996.

[4] Id.

[5] This interpretation is similar to that argued by Australia in 1950, and which led Australia to abstain in the key General Assembly vote. See Hamilton, Thomas J., "Lie Term Extended as U.N. Secretary for 3 Years, 46 to 5," New York Times, November 2, 1950, p. 1.

[6] See Simma, Bruno, ed. The Charter of the United Nations: A Commentary, Oxford University Press (1994), p. 1031. Although Simma argues that the Lie precedent was correctly decided in 1950, he concurs with the analysis in the text concerning the present situation.

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NEW UNITED NATIONS SECRETARY GENERAL SHOULD RESPECT THE INSTITUTION OF THE FAMILY

Testimony of Gracie S. Hsu, Policy Analyst
Family Research Council
before the House Committee on International Relations
Subcommittee on International Operations and Human Rights
September 24, 1996

Thank you, Mr. Chairman, for inviting me on behalf of the Family Research Council to express our views regarding the selection of a new Secretary General for the United Nations. As you know, the Family Research Council (FRC) is an organization dedicated to helping shape public policy which preserves and strengthens the traditional family. Although our focus has usually centered on United States policy, the recent efforts undertaken by the United Nations in the realms of population control, promoting abortion overseas, and redefining the family, have caused FRC to expand our vision and cover some aspects of international policy.

FRC and many other pro-family organizations have grave concerns that the United Nations is heading in the wrong direction, devoting more of its financial and material resources to fund and implement policies and practices that are detrimental to the traditional family unit. Indeed, the Cairo Population conference, the Copenhagen Social Development conference, and the Beijing Women's conference are prime examples of the way in which the United Nations has moved away from its traditional mission of championing human rights or protecting refugees, and has instead used its status and authority as a world organization to help promote a radical agenda of population control and abortion advocacy.

For example, one year ago during the United Nations Fourth World Conference on Women in Beijing, delegates from around the world came together to discuss ways in which women's status in society might be advanced. All of the participating countries agreed that women ought to be respected and given equal status in society. All of these countries agreed that the educational and economic advancement of women was a noble goal. And yet, over 60 countries expressed objections to or reservations with the Beijing Platform for Action.

Why did so many countries, particularly the developing countries in the G-77, object to the conference document? Because the document was skewed towards advocating policies which were detrimental to the traditional family. The Platform for Action gave short shrift to the value of motherhood, and the words

"husband" or "wife" did not even appear once in the entire document. Furthermore, the word "family" almost always appeared in a negative context, i.e., in relation to domestic violence or as a vehicle for female oppression.

The Beijing document also, in keeping with its predecessors from Cairo and Copenhagen, promoted abortion and unrestricted contraceptive availability. While the Platform failed to recognize the role of men as husbands and fathers, it did express the notion that women should be completely autonomous in their reproductive decision-making. Indeed, the Platform urges governments to "take action to ensure that women's sexual and reproductive rights are fully recognized and respected" (paragraph 232). Furthermore, the Platform elevated reproductive "rights" above all other rights, stating that "the ability of women to control their own fertility forms an important basis for their enjoyment of other rights" (paragraph 98).

This exaggerated emphasis on sexual and reproductive rights, particularly abortion, without regard to the context of marriage and family was not only disturbing, but downright offensive to many countries.

- For example, the Ethiopian delegation wrote in their statement of reservations: "There was a measure of imbalance in the focus of the Conference. Too much time and effort was spent on matters which are not central to the issues of women. Ensuring better access to health services, property, employment, full political and economic participation, deserve higher priority than protecting what had been subsumed under the term 'sexual rights.'"

- Likewise, the Holy See wrote: "We can do more for women's health needs than focusing on fertility and sexual issues, using language which implies societal endorsement of homosexuality. A document that respects women's intelligence should devote at least as much attention to literacy as to fertility."

- Egypt expressed reservations that "its understanding of the text in the Platform regarding sexual relations and reproductive relations is that such relations should be within the family and the marriage." Likewise, Sudan wrote that it "rejects all forms of sexual relationships outside of marriage: sexual relations other than that between a man and a woman is perverse, as is abortion."

- Malaysia expressed reservations about the interpretation of the Platform, specifically with regards to "the definition given to family, individuals, and couples; reproductive rights, which should apply only to married couples in a union between a man and a woman; sexual rights should not be taken to mean sexual promiscuity and other practices, such as homosexual rights; abortion, which is illegal in Malaysia, should only be allowed in medical emergencies. While acknowledging information on healthy sexual practices is necessary in light of the dangers from sexually transmitted diseases and the AIDS virus, parental guidance should not be dismissed and unacceptable practices condoned."

- Peru also expressed similar reservations: "The community and State promote family and marriage as the basic units of society. Marriage involves men and women. Concepts on reproductive health and rights cannot be used to regulate fertility or family planning. Concepts on family planning must be seen as promoting the family and responsible parenting. Sexual rights refers only to heterosexual rights."

- Argentina wrote that some interpretive statements need clarification: "The concept of the family should be one of a union between a man and a woman in which children are born and nourished. There should be no weakening of parental responsibility. References to the control of sexual health should not restrict the right to life or weaken condemnation of abortion as a means of birth control. Paragraph 107(k) should not be taken to mean abortion is no longer penalized."

- Nicaragua wrote that "in accordance with its constitution and national laws, it considers that all persons have the right to life, a fundamental and inalienable right that begins at conception. Abortion cannot be considered as a means of birth control. Any legislation concerning this matter is a sovereign matter of Nicaragua."

These are just a handful of examples among the over 60 countries which submitted reservations regarding the Beijing Platform for Action. And, as the various countries' statements clearly show, the prime objection has to do with their accurate perception that the United Nations, through this and other world conferences, are forcing upon them a radical cultural agenda which undermines the traditional family unit and undercuts traditional morality.

The Purpose of the United Nations

The United Nations was created to help uphold policies which benefit all peoples and nations, such as in coordinating international efforts to feed the hungry or engaging in genuine peacekeeping efforts. On the other hand, the U.N. was not created to be a world organization that imposes on the rest of the nations a brave new form of morality. Nor was the U.N. created to be the vehicle for cultural imperialism. And yet, for more and more countries around the world, the United Nations is becoming synonymous with its strong-armed tactics to promote a radical feminist agenda.

I have spoken all these things to lay a foundation for which to speak on the subject at hand: the selection of a new secretary general for the United Nations. If the United Nations is to restore its credibility among nations, particularly developing countries, the new secretary general must be sensitive to these concerns about the traditional family and morality. He/she must have a vision of purpose that will unify, not divide, nations -- a "consensus builder," as you, Mr. Chairman, have spoken about previously. The secretary general must also be able to return the United Nations to its lofty position of helping maintain world peace and security without overstepping its boundaries and infringing on the sovereignty of individual nations. And he/she must view the United Nations as a limited power with the authority to act only within a certain limited framework and to discard the temptation to venture into arenas for which it has no rightful authority to act.

It is with these tenets in mind that I turn to address two potential candidates for the position of U.N. Secretary General: Gro Harlem Brundtland, Prime Minister of Norway, and Mary Robinson, President of Ireland. From a pro-family perspective as well as from the perspective of returning the United Nations to a place of consensus, neither of these candidates seem qualified for that top job. Both of these women are outspoken abortion-rights advocates who have aggressively lobbied for the liberalization of abortion laws worldwide.

For example, Gro Brundtland declared that the legalization of abortion is but a "minimal response" to so-called unwanted pregnancies. She was quoted in the *Manchester Guardian Weekly* as saying that "morality becomes hypocrisy if it means accepting...unwanted pregnancies" and "unwanted children." And at the U.N. population conference in Cairo, Prime Minister Brundtland supported the world-wide expansion of abortion rights.

Similarly, Irish President Mary Robinson, according to the *Chicago Tribune*, "campaigned on a left-wing platform" and promised to change Ireland's pro-life laws. She has also been described by the *International Herald Tribune* as an "outspoken proponent of the liberalization of the abortion law."

Clearly, with the ever-growing rift between the United Nations' imposition of a liberal social agenda and the countries it purports to represent, neither Ms. Brundtland or Ms. Robinson would be able or willing to bridge that gap. And at a time when the United Nations' credibility has been strained in many countries, including our own, it would be wise to select a secretary general who can restore the U.N.'s credibility by putting the agency back on its primary vision of maintaining peace and upholding human rights around the world.

In conclusion, the Family Research Council urges the United Nations, in its selection of a new secretary general, to respect the worldwide institution of marriage and the family and to select a secretary general who will be a consensus builder among nations, not a consensus breaker.

Thank you very much.

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